RECORDS IN THE BRITISH PUBLIC RECORDS OFFICE RELATING TO SOUTH CAROLINA

VOL. 22

1745-1747

ALSO
FEW DOCUMENTS FROM
1722 — 1744
INCLUSIVE

MICROFILMED
BY
WM. L. McDOWELL

Vol 22
Journals
1745

1

B P R O Journals B T Vol 53

Whitehall 6th February 1745

At a Meeting of His Majesty's Commissioners for Trade & Plantations

Present

Lord Monson

Col Bladen Mr Plumer Mr Pitt

. . . . . .

Read a Letter from Mr Mc Culloh, Commissr for Supervising & Controlling the Revenues & Grants of Lands in North & South Carolina to this Board, dated at Cape Fear the 27th of July 1744, inclosing copy of a Letter to Mr Johnston Govr of North Carolina, dated also at Cape Fear the 6th of July 1744, inclosing likewise the following Papers, Viz:

Observations in relation to His Majesty's Order of Council dated the 19th of May 1737 most humbly Submitted to the Right Honble the Lords Commissrs for Trade and Plantations by Henry Mc Culloh.

Copy of the Representation of Henry Mc Culloh, to His Excellency Gabriel Johnston Esqr in Council, with Observations thereon.

Copy of a Representation of Henry Mc Culloh in behalf of Murray Crumble, James Huey & their Associates to Gabl Johnston Esqr Govr of North Carolina.

Ordered

Ordered that Enquiry should be made if he has any Agent here & that the said Agent should be desired to attend & in case he has none, that Messrs Grimble & Huey have the same Notice given them.

7th February 1745

The Board having been inform'd that Mr Howson was Agent to Mr Mc Culloh, ordered a Letter to be wrote to him, to desire his Attendance here Tuesday next, in order to have some Discourse with him on the Subject of a Letter and other Papers received from Mr Mc Culloh and read as mentioned in Yesterdays Minutes.

12th February 1745

Mr Howson, Agent for Mr Mc Culloh, attending the Board after some Discourse had with him on the Subject of the Letter and other Papers received from the said Mr Mc Culloh, the Board acquainted him, that as the Grievance complained of in his said Letter, related to his private & not his publick Capacity, they could not give him any assistance therein, but were of Opinion he ought to apply to the Council for Relief.

28th March 1746

Read

Read a Letter from Mr Glen Governor of South Carolina, to the Board, dated Febr 2d 1744/5, enclosing a Copy of his to the Duke of Newcastle & transmitting Copies of the Papers referr'd to. Viz.t

Copy of a Letter from Mr Glen Governor of South Carolina to the Governor of the Havana without date.

Copy of a Letter from Mr Glen to the Bishop of Havana, not dated.

Supplement to the South Carolina Gazette Decr 5.th 1744

Copy of the Emperor of the Cherokees Letter to Mr Glen, Octr the 10.th 1744

Copy of Govr Glen's Letter to Captains Frankland Ward & Hamar, all in Cooper River, dated 1st January 1744/5.

23rd April 1745

Read the Representation of Colo Fenwicke, late of the Province of South Carolina, & for many years one of his Majesty's Council in the said Province; setting forth the Situation and growing Power of the french Settlements & Garrisons on the Mobille & Missisippi Rivers, how formidable & dangerous they are in those parts to that valuable Province of South Carolina; and how much the Welfare & Enlargement of his Majesty's Plantations in America & the Trade thereof, depends on forcing the

the French to abandon those new Acquisitions; How that may be effected, & with no great additional Expence to the Nation.

Ordered that the Secretary write to Mr Fenwicke & acquaint him, that the Board having read his representation, are desirous of having some Discourse with him on the Subject thereof, any Morning about twelve that will suite his Convenience.

* * * * * * * * *

8th May 1745

Col° Fenwicke one of the Council in the Province of South Carolina attending, the Board had some Discourse with him upon the Subject of his Representation relating to the Situation & growing Power of the French Settlements & Garrisons on the Mobille & Missisippi Rivers; (mentioned in the Minutes of the 23d of last Month) and their Lordships defer'd the further Consideration thereof to another Opportunity.

* * * * * * * * *

26th June 1745

The Draught of an Answer to the several Letters received from Mr Glen, Governor of South Carolina, since the Board's Last to him, having been prepared was laid before the Board, agreed to, & ordered to be transcribed

27th

. . . . . .

27th June 1745

The Draught of a Letter to Mr Glen, Govr of South Carolina, ordered to be transcribed by yesterday's Minute was laid before the Board & signed.

. . . . . .

19th September 1745

Read a Letter from Mr Mc Culloh Commissr for supervising & controlling the Revenues & Grants of Lands in North & South Carolina to the Secretary, dated at Cape Fear the 11th of February 1744/5, and likewise one dated the 11th of January inclosing a Representation to this Board relating to the Difficulties & obstructions he meets with in the Execution of his Office.

Ordered that a Letter be wrote to Mr Scrope Secretary to the Lords Commissrs of His Majesty's Treasury for inclosing a Copy of the said Representation for the Information of that Board

Read a Letter from His Grace the Duke of Newcastle, dated the 10th Instt referring to this Board a Petition of the Governor Council & Assembly of South Carolina to His Majesty, setting forth the bad state of their Rice Trade, and praying that they may have Leave to carry it to places where it may be

sold

sold to some Advantage.

Ordered that a Letter be write to Mr Fury Agent for South Carolina desiring his Attendance at the Board on Tuesday the 1st of October, in order to have some Discourse with him upon the subject of the said Petition.

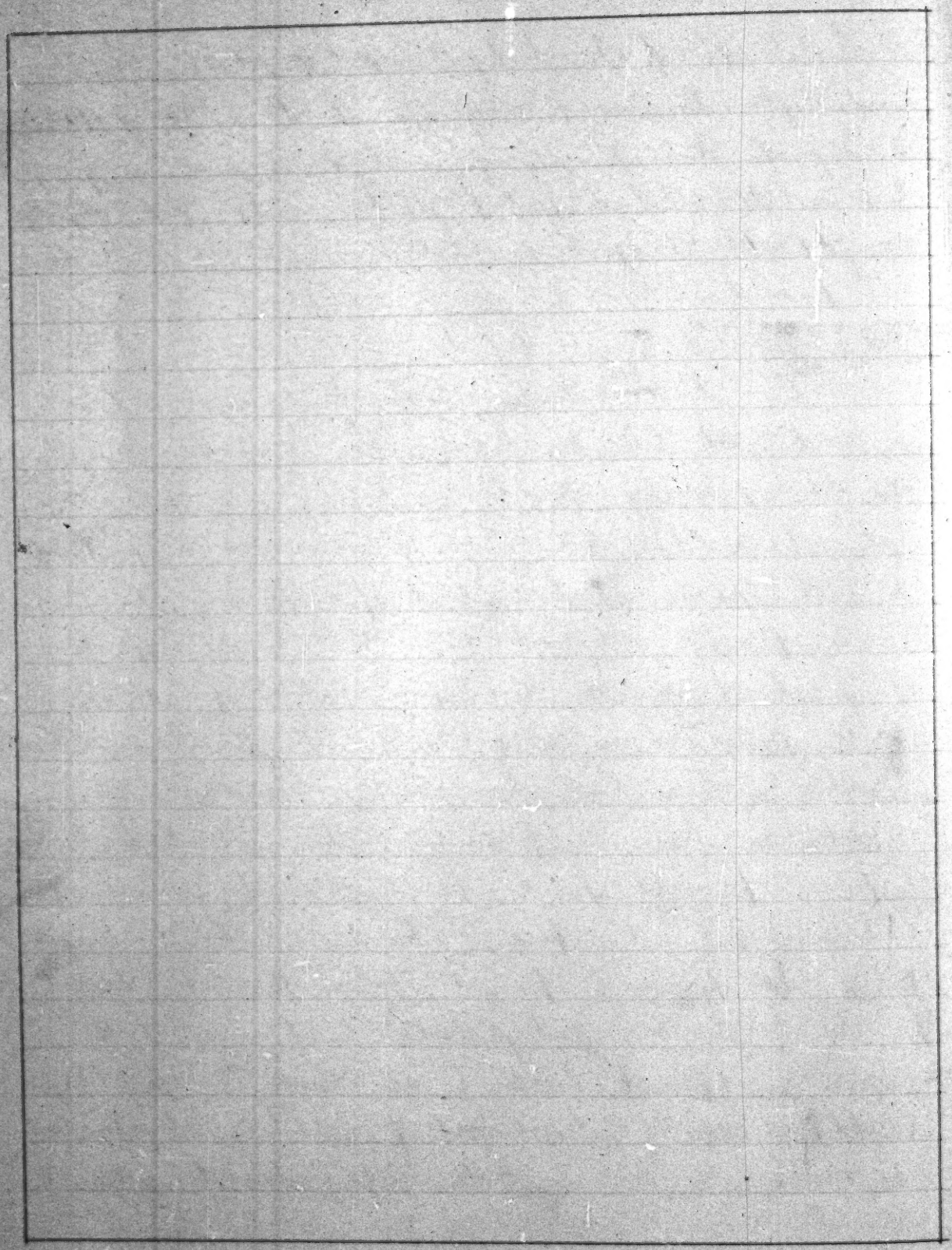
1st October 1745

Mr Fury Agent for the Province of South Carolina, attending (as desired by the Minutes of the 19th of last Month) together with Colo Fenwicke one of the Council of that Province; after some Discourse had with them upon the Subject of the Petition of the Legislature of South Carolina to His Majesty, referred to this Board by the Duke of Newcastle's letter (mention'd in the last Minutes) they were desired to put their thoughts upon that Subject into writing which they promised to do, & that they would lay the same before the Board in a short time.

21st November 1745

Colo Fenwicke one of the Members of the Council in his Majestys Province of South Carolina attending, together with Mr Fury Agent for the said Province

Province, the following Paper delivered by them was read viz.t Reasons humbly offered for granting Liberty to export Rice directly from So. Carolina to any foreign Port or Place in Europe & America without being first brought to Great Britain.



B. P. R. O. South Carolina B T Vol 11 H75

(16th January 1744.)

Sir

I intended long before this to have communicated my thoughts to you in relation to the Act that was passed in 1743, in South Carolina, Entituled, an Act to remedy some defects in his Majestys Rent roll &c. But I have not been able to procure a Copy of said Act 'till very lately. The Reasons assign'd for the passing of this Act, are very Spacious, but when the Act is duely consider'd, I apprehend, it will appear that instead of improving the Revenue of the Quit rent, It will in many respects be of great disservice; and open a door for New Frauds to be practiced on the Crown. The Planters in South Carolina have been for a considerable time past very desirous of finding out a Method to dispose of such part of their Lands as are of bad quality, and after such Sale to be discharged from the payment of Quitrents; Before my Arrival in that Province, they had an Opinion that by disposing of such Lands to Transient Persons, they would thereby be discharged from the Quitrents; But they have been lately better informed, and want now

to

to ease themselves by the Sanction of Law; When the above mentioned law was brought into the House of Assembly, the 6th Paragraph after the recital of His Majestys 43d Instruction run thus Viz. That there was not any Effectual or proper Conditions inserted in such Grants to oblige the Grantee to Cultivate and improve the same Contrary to His Majesty's most Gracious Intentions and design in giving encouragement for increasing the Settlement & Strength of this Part of His Dominions; and to the great disappointment and discouragement of such Poor Protestants and others who were willing to transport themselves and become Inhabitants of this Province; And the Commons House of Assembly, further proposed that all those persons, who had procured Grants of the Township Lands, contrary to the intention of his Majty Instruction, Should be Obliged under the Penalty of a Considerable fine, to Settle and Cultivate those Lands at their own Expence; But on the third reading, the Council prevaild with the Assembly to assent to the Bill as it is now worded in the 1st 4th 8th & 9th Paragraphs; By which (from the loose manner of wording the Bill) they have vested a power in the Govr and Council to discharge all such as are inclinable to deliver

up

up the Township Grants, from the arrear of Quit rent; and as several of the members of the Council, and their friends are the Principal Parties concern'd in the Township lands, they may have it in their Power to continue the Grants as long as they please in their Possession; and if they find the Settlement does not take place so as to improve the Value of their Lands, they may Surrender their Grants at discretion: The abuses that have been heretofore comitted in the Township lands has been the ruin of that Province; And those concern'd in them ought to meet with the most exampleary punishment. And I beg leave further to observe, that the little regard that is paid to His Majesty's Instructions, in most of his Majesty's Colonys on the Continent of America, renders them of little or no Service to the Crown or to the Publick; And it is a Reflexion of a Melancholy Nature, that all those wholesome Guards and Provisions which the Crown has Wisely constituted, are so Evaded, that the Govrs and Councils may often Committ Acts of the greatest cruelty and Oppression, with impunity

Cape Fear 11th Janry 1748 — I am Sir

(Thomas Hill Esqr) — Your most Obedt & most Humble Servt

Henry McCulloh

Recd Sept 2d
Read 6 Ct 19th } 1748

B P R O South Carolina B T Vol IV H 50

S. Carolina Feb.y 2.d 1740/1

My Lords

His Ship sails so suddenly that I have no time to give Your Lordships any particular Accounts from hence other than what are contained in my letter to His Grace the Duke of Newcastle a Copy of which I have presumed to send to Your Lordships together with Copys of the several papers to which it referrs.

My Lord

I had the Hon.r to Acquaint your Grace lately that a British Vessel bound for this Province from Holland, with near 300 Palatines on board had been a few days before taken upon our Coast, and sent to the Havanah. The Loss to us of so many Protestant settlers is great, but I am more affraid of the Consequences for as this is the first Ship with Passengers that ventured this way for many Years - It is probable that when the News of this reaches Germany. And that this Province is in the road of an Enemy and upon a Frontier. We shall have no more such visitors. They will either stay at home or go to Pensylvania, where they cannot be half so usefull subjects to his Majesty or if they meet with

good

good Usage in Cuba. It is not Impossible but they may write for more of their Countrymen to come thither notwithstanding the difference of Religion.

Mr Tinker Governor of the Bahama Islands writes that the Priests have been very busy amongst the young People making Converts.

As these People were not British Subjects, nor the Subjects of any Prince or State at War with Spain, I was of Opinion, that they could not be made Prisoners of War. But as this is a National more than a Provincial Affair. I have Enclosed a Copy of my Letter to the Governor of the Havanah and likewise a Copy of my Letter to the Bishop, who is a Person of Authority there. These I sent with a Flag of Truce – If there is anything wrong or wanting in either, I beg your Grace may Correct and Supply my defects, for I fear this will not be Ended without higher Interventions than mine.

The Freight of the Vessel that I have sent may amount to something above a hundred Pound, and should I succeed in having them returned, it may be about £200, which I hope Your Grace will procure payment of.

About a Month ago another Vessel bound for Pensylvania from Holland was obliged to put in here having

having 342 Palatines aboard. I prevailed with the Master to send a few of the leading Men ashore, where they were well treated. I Informed them of the Encouragement that his Majesty gives in Land to foreign Protestants settling here, and likewise what Bounty is allowed by the Province, and I caused write several Copys of what I had told them translated into their own Language, and sent them to be dispersed amongst them in the Ship and the next day I went myself four or five miles down the river to the Ship and carried with me One of these proposals for Encouraging Protestants to settle amongst us under the Great Seal desiring them to chuse a Trustee, to whom I would deliver it as a Security for all of them. At last everyone agreed to stay and next day about 130 of the Men came ashore and took the Oath to be faithfull Subjects to His Majesty King George.

The Gentlemen of the Council and I take all imaginable pains to get them comfortably settled.

As for the present Situation of some of our Affairs in this Province your Grace will learn it very truly from the printed paper which I have presumed to Enclose, and I likewise send the Copy of a Letter from the King of the Cherokees, which is mentioned in the printed paper.

About

About two Months ago Capt Hamar, Commandr of his Majesty's Ship Flamborough brought into this Port a french Vessel called La Sendre of Rochelle which has been condemned as lawfull Prize She had twenty Guns four pounders and Seventy Men and fought the Flamborough two hours, but at length was disabled from continuing the Fight by the accidental blowing up of a great Chest of Cartridges, which killed and wounded a vast number of them She had on Board 60000 Pieces of Eight in Silver, Seven thousand Ox hides, and some Indigo and Snuff the whole may amount to Sixteen thousand pounds — Capt Hamar met with this Ship Sixty Leagues on this side Bermuda.

Abut a fortnight or three weeks after which Capt Frankland brought in another french Ship called the Conception, she had been freighted at Cadiz, and was coming from Carthagena to the Havanah, he mett with her near the Havanah, she has in like manner been condemned as lawfull Prize, and is worth near ninety thousand pounds Sterling; She had likewise Twenty four pounders and forty Eight Men the Ships Crew, and at Carthagena had taken in 168 Passengers for the Havanah but amongst them all there were but thirty muskets. amongst the Prizoners there is a Nephew of the Vice

Roy

King of Sp. See.

About the same time a Privateer brought in two Prizes taken from the Spaniards sem after they had sailed from the Havanah which have been likewise condemned; By the Prisoners I learn that Admiral Torres sailed for Europe some time ago with four Ships of fifty, sixty and seventy Guns which had on board abt fourteen Millions of Piasters. this has almost drained the Havanah of Seamen, except what are in the three Vessels which I shall mention to your Grace.

Govr Tinker writes me that he has Intelligence by a small Prize lately carried in there, That a Ship mounting 24 Twelve pounders, and 4, 18 pounders with 250 Men on board sailed from the Havanah lately in Company with the King of Spain's Snow and a Sloop of War, Intending to Cruize upon Our Coast.

Upon which I wrote a Letter to each of the three Capts in our Port Capt Trankland, Capt Ward and Capt Hamar, a Copy of which I have Enclosed.

His Majesty's Sloop the Swallow has been lost within these few days going into the Bahama Islands, whether I hear she was sent by some of the Capts upon this Station.— Everything is lost the Captain and Crew however all saved themselves Except three.

Abt

About three weeks ago died at Bermudas Allured Popple Esq^r Gov^r of that Island as did also the Collector of the Customs about the same time.

I am with the greatest respect

My Lords

Your Lordships

Most Obedient and

Most humble Servant

James Glen

Rec^d March 15^th
Read D^o 28^th } 1744/5

B P R O South Carolina B T Vol. 11 H51

(Inclosure to Mr Ellis's Letter 2 Feb 1702)

Hac Epistola tibi Scripta Est non quia te Eruditum Perpolitum, et omni doctrina Ornatum Esse certe Scio, Nec propter dignitatem tuam Episcopalem haec enim cum aliis communia Sunt Sed ob magnam Probitatem, et humanitatem, et Charitatem Eximiam, Nec Veror me tibi molestiorem Esse, cum pro miseris misericordiam tuam Imploro

Iam qua de Causa te, his Literis Interpellem, paucis accipe. Navis Britannica, ab Hollandia, in hanc provinciam tendens, nuper capta est, per Navim Hispanicam, et in portum Havenensis Civitatis delata, Et quum in bello sollenni capta sit, procul omni dubio ad Captores pertinet. Audio tamen in Ea fuisse trecentos Germanos, nullo modo Subditos Regis nostri nec ullius Principis, cum Catholico Rege belligerentis et ideo nullo jure Captivos fieri posse.

Magno tibi erit Ornamento, Homines Innocentes beneficio tuo Incolumes evasisse, Captivos a te accipisse redemtionem et Libertatem, Aegrotos curationem, Tristes, et dolentes Consolationem.

Itaque iterum, atque Iterum, rogo, et obsecro, ut his miseris opem ferre digneris, Res tam honesta est, ut pro te loquatur, nec multitudine verborum Egeat.

De

De hac re, Literas multis verbis scriptas ad Virum Excellentem Gubernatorem vestrum misi, quarum de Successu nihil dubito si fultæ fuerint tua Auctoritate.

Mihi cognitante si aliquid Haberem te dignum in mentem venit manuscriptum Evangelii Glossati marci, divi Petri Discipuli, primi Alexandriæ Episcopi Et licet sit Exemplarnitidum est tamen peranticuum

Deus Conatibus tuis faveat

Domine

Illustrissime servus tuus,

Illustrissimo Domino — Observantissimus Studiosissimus

Iohanni Lass de la Vega — Jacobus Glen

Episcopo Havaniensi

(Inclosure)

Sir

Before the War broke out betwixt the King my Master and his Catholic Majesty, the People of Great Britain were told, and did believe that the greatest Cruelty were Exercised upon such of their fellow Subjects, as had the misfortune to fall into the hands of any of the Spanish Governors in the Indies, but I am apt to think that many of those reports were without foundation, and arose from the Irregularities of some of your

Guard

Guard de Costas. For after the Flame of War was kindled, and by the variety of Fortune many of the Subjects of either Prince, were made Prisoners those Suggestions gradually subsided and lost Credit, Our Countrymen acknowledging the good usage they met with from the Spanish Governors. And it is a great Satisfaction to me that I can confirm and corobrate this, for having Examined those who have been sent hither from the Island under y^e^ Excell^y^ Government and likewise those from St Augustine, They all agree, that they have met with such humanity, and Clemency as might be Expected from brave Men, with such Civility as is Inseparable from Men of Merit, And I can with pleasure appeal to such of his Catholick Majestys Subjects as have been prisoners in this Province, whether I have not Endeavoured to make their Confinement easy and their Stay here short. Your generous behaviour towards my Countrymen not only merits my highest praise and thanks, but I thought it my duty, to represent your Conduct to my Court. That when it shall please our representative Soveriegns to think of peace, such proceedings may facilitate it, which I Sincerly wish, for I shall always be of Opinion, that an honourable peace (Especially betwixt Britain and Spain) is to be preferred to War.

It

It was said by an ancient Roman - Sapientes Pacis causa Bellum gerere, and by a primitive Christian, Bellum Geritur ut pax acquiratur.

I have sent Capt Jemett Cobley with a Flag of Truce, to the Havanah who will have the Honour to deliver this Letter into Yr Excellencys hands, in which I take the liberty to State, and represent an Affair, of very great moment, and Concern.

A British Merchant Ship Commanded by Capt Abercromby and bound to this province from Holland was lately taken by a Snow belonging to his Catholick Majesty and was carried into the Havanah.

In this Vessel were two hundred and Sixty five Germans when taken who had never been in any part of the British Dominions, and could in no Sence be deemed Subjects of the King of Britain either as King or Elector of Hannover, nor the Subjects of any Prince or power at War with Spain and Consequently the making them Prisoners of War, or the detaining them as such, would be a manifest Infraction of the Law of Nations, a Law not Enacted by any particular State, or Kingdom; but what has been declared by the Universal Voice of all mankind, in all ages, as a Law binding on all.

But

But as my assertion on this head may not have equal Weight, or Authority with what is said by the Authors, who treat of this matter I have ventured to use their own words.–

These People I say can in no Sence be reckoned British Subjects.

Ne quidem erant Sub Protectione Regis multo minus sub Ejus ditione aut Imperio, sed cum Essent sui Juris Patria relicta maliam Terram migrabant, in Mari libero Navigabant non cum armis aut Belli Instrumentis Et ideo Navigatio fuit Innoxia Et Inermis, de nave non disputandum quin Domino Navis Victricis cedat ut pote in bello capta Sed (ut loquitur Grotius) Res quæ Hostium non sunt, Et si apud Hostes reperiantur, Capientium non fuint Id enim nec naturali Jure Congruit nec Jure Gentium, Introductum est vide Tract. atum celeberrimum de Jure Belli ac Pacis Libro tertio Capite Sexto paragraphe Vicessimo Sexto, Et in alio loco sic definitur ' Si et Navis Et Merces Hostium sunt, pen in aperto Esse, Capientium ea fieri, si vero Navis sit pacem colentium merces autem Hostium, Logi posse ab his qui Bellum gerant Navem aut Merces eas in aliquem Portam deferant quod sit suarum partium Ha autem ut Vecturæ prætium nautæ Solvatur

Si

Si contra Navis Hostilis fuerit merces vero aliorum de Nave transigendum aut si nolunt Vectores transigere cogendos ut cum Navi Eant in Portum aliquem Portum capientis Et ut capienti solvant prætium quod pro Navis um debabatur

This has been the constant practice not only of the English but of the Venetians and Genoese while they continued powerfull at Sea, and of the Danes, Dutch and French, and hitherto of the Spaniards, and I am persuaded will be observed under an Administration so famed for Justice, and Moderation as Your Excellencys.

A Vessel bound for France from the Missisippi, but last from the Havana, called La Sendre de la Rochelle Capt Siguerard Commandr was taken about a month ago by His Majestys Ship Flambrô and was brought into this harbour three days ago, there were near 60 French, and about 16 Spaniards aboard, when they were engaged a few were killed, but many of them are much wounded, both from the Shot from our Ships, and by the accidental blowing up of some of their powder, They are put under the care of able Surgeons, and no Expence shall be spared to compleat their Cure, and such of them as are Subjects of his Catholick Majesty

shall

shall be then sent away at the Expence of this Governmt. either to the Havana or St Augustine.

I was honoured with your Letter by Capt Webster which gave me a great pleasure and Satisfaction, and I shall take care that any Spanish Prisoners, who may be brought into the Provinces, under my Jurisdiction, shall Enjoy the same Liberty as is Indulged to the British Prisoners at the Havana.

I am with the greatest respect &c

To the Gov. of the Havanah

Ja Glen

Recd with Mr Glen's Letter dated 2d Febry 1744/5

Recd March 18th } 1744/5
Read

B. P. R. O. South Carolina B. T. Vol III. No 52

(Inclosure to Mr Glen's Letter 2 Feb 1744/5) (3rd December 1744)

A Supplement to the South Carolina Gazette

(Numb 568)

Recd with Mr Glen's Letr
dated 2d Febry 1744/5

Recd March ye 18th } 1744/5
Read

B. P. R O South Carolina B T Vol 14 H 58

(Inclosure to Mr Glen's Letter 2 Feb 1744/5) (10th October 1744)

To the Honble James Glen Esq

Govr of South Carolina

Brother

When I heard last Spring that the Great King George our King and Father had sent you over to be Governour of his White People in South Carolina and his Red People of the Cherokee Nation, with the advice of my Guardians beloved Men and Warriours I send down our Linguister to know whether it is your will and pleasure that we should come down and see you which we find it was by the Brotherly Message you sent us which when we Received wee intended to have come down this fall but when the beloved Man came up I came to see him and to ask him what news, and how you and your beloved Men and Warriours did and after telling us you were all well he further Informed us that the English had War with the French now as well as the Spaniards which made us consider that you and your beloved Men and Warriours would be very busy about ordering and preparing for the War and that we might be troublesome at such a time so with the advice of my

my beloved Men and Warriours have resolved to stay till the Spring when hope to see you all well and Conquerors of your Enemies but if you are still at Warr and have any Occation of our Assistance we shall be always ready to assist you when ever you please to send for us, and another thing which Induced us to stay till the Spring was that our people was Indebted to the Traders for Ammunition and several other things that we could not do without and this was the best time of the Year to Hunt and pay our Debts and if we should go down a great many of our Young people would go too and then the Traders would have reason to complain which by staying till the Spring we hope to prevent. We have sent our Talk to all the Towns in the Nation Immediately to go out and make hast to hunt and pay the White Men what they owe them and with the remainder bye Cloaths for there Children and Wives and in the Spring wee will go down to Carolina and have a strait talk with you and our Brothers and the Traders have no Complaints against my people, When we come we hope to see you all well and to set and talk and Smoak a Pipe of your good Tobacco. I desire that this may be sent down by the beloved

Men

Man and also desire Over that the Governour may take no notice of any Talk, or of any body that goes from this Nation without my orders and the Kings Linguister with them so say no more but wish you long life and good health and to Conquer all your Enemies

Robert Buring
Thos Leper

Emperor of the Cherokees
his ○ Mark

Octobr the 10th 1744

Recd March 18th 1744/5
Read

Recd with Mr Glens Lett dated ye 2d Febr 1744/5

B. P. R. O. South Carolina B. T. Vol. IV. Fol. 28

(Inclosure to Mr. Glen's Letter 2nd Feb. 1744/5) Jan.y 7. 1744/5

Sr.

As at this Season of the Year, all his Majesty's Ships along the Coast of this Continent, are rendered unserviceable, Except those upon this Station there is the greater reason for their keeping continually cruizing, and as our Merchants have been for some time past in daily Expectation of a Large Fleet of their Ships from England, with Valuable Cargoes on board for this Province, I thought proper to Acquaint You of it, and to desire, that You may Give them all the assistance and protection in Your power, with ye Kings Ships under Your Command: And with such as may be under Your Order and direction. I likewise acquaint you, that I have received Certain Intelligence That there is a Ship of Force, a Snow and a Sloop, fitted out from ye Havana and belonging to ye King of Spain now at Sea, intending to Cruize upon the Coast of this Province, and therefore the less you leave our Coast the more likely you are to protect our Trade and promote his Majesty's Service

I am

Sir

Your

Your

To Captain Hamar most humble Servant
Com[r] of y[e] Hambro James Glen
Man of War

[Endorsed Copy of M[r] Glen's Lett[r] to Capt Frankland Capt Ward, and Capt Hamar, all in Cooper River]

Rec[d] March 18[th] } 1744/5
Read }

Rec[d] with M[r] Glens Letter dated y[e] 2[d] Febr[y] 1744/5

B. P. R.O. South Carolina B. T. Vol. IV. H 41

(11th February 1708/9)

Sir

I have inclosed you a Representation to the Rt Honble the Lords Commissioners for Trade & Plantation, which I pray favour you will lay before their Lordships. It is a great misfortune to me that I have not hither to met with the least Support from the Rt Honble the Lords of the Treasury. And that the Rt Honble the Lords Commissioners for Trade & Plantations do not think proper to represent the several matters complaind of, to His Majesty. The Nature & Duty of my Office is such, that it must Naturally create me Many Enemies; and the consequences has been such, that when they found I was not in the least Supported; they let loose their resentments upon me, And have not only insulted me in the grossest manner but have deprived me of all the means I had of Supporting myself.

I have been lately informed that Gov. Johnston and Gov. Glen & several other Gentm in the Provinces of North & South Carolina, have industriously misrepresented my Conduct. The Nature of my Office is such that I can do no Act in relation to the same, but what must be in writing; Therefore if those Gentm have

have anything to charge me with; it is in their power to send home proper proofs under the Seal of the Provinces; And an Accusation without their taking this step, In my humble opinion implys fraud. I have acted with the greatest openess with the Govrs in every matter I have complain'd of. Before I transmitted my representations from South Carolina I laid them before the Govr and Council; That if the facts charged had not been true, they might have taken an opportunity of disproving them; I have acted in likemanner with Governour Johnston; but did not think it safe to lay the representation sent to him, before the Council as there is a Law in this Province, that subjects any person to the Pillory who will openly censure the Conduct of the Govr Council & Assembly. The security of his Majesty's Subjects in America, depends wholly on a just Observation of His Majesty's Instructions; Therefore if no Notice is taken of so high a Contempt of His Majesty's Commands. It is humbly apprehended that the treatment I have met with may be an Inlet to many Encroachments. I am Sir

Your most Obedient & most
Humble Servt
Henry McCulloh

Thos Hill Esq
Cape fear 11th Feby 1748

(Inclosure)

(Inclosure)

To the Right Honourable the Lords Commissioners For Trade and Plantations

The Humble representation of Henry McCulloh

Sheweth

That Your Lordships Memorialist humbly conceives it to be his Duty to Submitt to Your Lordships consideration; the several Obstructions he has met with in regulating the Revenue of His Majesty's Quitrents In the Province of North Carolina &c: And to explain himself on this head; Humbly begs leave to lay before Your Lordships A Brief State of Gov^r Johnston's Proceedings, in relation to the methods that have been observed by him, in the issuing of Warrants & Grants &c

His Majesty by His 40^th & 41^st Instructions to the Gov^r was graciously pleased to prescribe the Rule and Method to be observed in the issuing of Warrants & Grants for Land; and limits the quantity to be granted to 60 Acres to each Person in the Grantees Family, which was to be done by & with the advice & consent of His Majestys Council in this Province; But the Gov^r finding that this restraint would be inconvenient to him: and lessen the fees he exacted on the issuing of Warrants, took quite a different method, and without any

any regard had to His Majestys Instructions: issued Warrants at pleasure, without obliging the Parties to prove their rights, and for the most part exacted fees from the Warrantee, for his having given them Lands without rights; which was looked upon by the Warrantee as a kind of purchase; & from that reason many of them have rested under their Warrants; for eight or nine Years past, without taking out Grants for their Lands

When Govr Johnston received His Majestys Instructions in 1764 (by which he was laid under a great restraint in the manner of Issuing of Warrants and Grants) he thought proper to direct that all persons for the future, claiming Lands under His Majestys Instructions, should prove the Number of Persons in their family and that such proofs shou'd be laid before the Council; but in Order to enlarge his fees and to Evade the Instructions he had received from the Crown; he did not oblige the Petitioners to declare whether they had not formerly received Lands under the Crown by virtue of the very rights they then claimed under, nor were they obliged to give any proof of their having settled, cultivated or paid Quitrents for the Lands that were formerly Granted to them, and in many instances

the

the Govr issued Warrants, without the Petitioners having proved their rights; upon which I took leave to Remonstrate to the Govr, that if His Majesty's Instructions were not observed in the first instance; That it could not be expected; that the Officers or Tennants of the Crown would pay any regard to such directions as might be given to them in relation to the Revenue of the Quit rents; That the Inhabitants of this Province were very desirous to take up more Lands, and that the only method to bring them to their duty; and to recover the Records which from the former method of issuing of Grants were very defective was to prevent all persons from having more Lands, untill they could prove by the Recr Genls receipts, they had paid Quit rents for what they already held; if this method had been taken when I first arrived in this Province, and that the Officers of the Crown had paid the least regard to the directions given them, in pursuance of my Instructions. It is more than Probable that all Disputes in relation to the Revenue, would have been happily settled: But as the Govr and the other Officers of the Crown have acted in open contempt of His Majesty's Instructions I have had the misfortune to meet with the greatest Insults.

The

The Security of His Majesty's Subjects in America in relation to their Rights and Properties, And the Security of his Majestys trading subjects from Great Britain to America, depends wholly upon a just Observation of His Majesty's Instructions; will, I humbly conceive, appear Evident from the Several Laws he has passed of a most extraordinary nature; without his first having incerted a suspending clause, untill His Majestys Pleasure was known thereupon; Namely, the late Quit rent Law, which I humbly apprehend broke in upon the rights of the subject; And Limitted the Perogative of the Crown to such a degree, That let the Conduct of the Govr & Council be of ever so extraordinary nature, the Subject could have no appeal to the Crown therefrom, And after the Govr had notice of the repeal of the said Law, the 19th of March 1740. the 4th of April following, he passed an Act Entituled, an Act to inlarge the time of Enrolling Lands in the Auditors Office, and proving the quiet possession of Lands for twenty years past'd and upwards: This Act differs greatly from the title given to it; and was pass'd only with a view to ascertain all Grants that were enterd in the Auditors Office in pursuance of the late Quitrent Law, that was then repealed

In

In 1735, the Govr passd an Act by which all the Taxes arising by former Acts for sinking the Bills of Currency were applied to the use of himself, the Council & Assembly. so that when the Bills expire the 25th of March next there is not one farthing left for the sinking of them. By which the trading part of Great Britain to this Province may be greatly injured; There is also an Act passd in 1740 (which is usually termd the Aid Act) by which all persons that are sued in this Province; have it in their power, upon Executions being taken out against them, to pay the sum due in rated commodities; such as Rice, Beef. Pork, Tallow &c which makes it better for the Creditor to receive any composition the Debtor may think proper to offer him, then to Sue for the same; There are many other Laws of like nature in this Province; which would be to tedious to Mention.

Your Lordships Memorialist prays leave further to represent That Eleazer Allen Esqr Recr Genl of North Carolina, has not till very lately delivered to the Deputy Auditor, any Accounts of the Receipt of His Majesty's Quit rents.

That the Recr has omitted to give His Majesty Credit for the full Amount of the Tobaccos, Beeswax

yea

qua Received in Albemarle County in 1739, and pretends at present that there was a loss of near four Hundred Pounds Sterling on the sale of the said Commodities; altho' at the same time he made a private sale of said Goods, and refused to deliver in an Account in what manner the loss arose

That the Rect has taken upon him to discharge His Majesty's Tennants on payment of less Quit rents than what they are liable to by their Grants.

That the Accompts lately exhibited are all together defective the Rect not having deliver'd to the Deputy Auditor a Specifick Accompt of the Recupt of His Majesty's Quit rents, nor any Vouchers for the sums charged to the Debit of His Majesty's Accompt Current; And that it appears clearly from the accompt, that he has charged several sums to the Auditor, which have not been paid by him. That the Deputy Auditor applied to the Rect on this head, and asked him, how he could give the testimony of his Oath before the Govr that the Accompts exhibited, was a true charge and discharge of His Majesty's Quit rents, upon which the Rect told the Deputy Auditor, that he mentioned it to the Govr that he had not paid part of the money charged to the Auditor Generals Acct. The Accompts are Certified by the Govr in the usual form.

If

If Mr Allen has sworn to the Accompts in the manner they are certified. I apprehend he has Sworn to an Untruth. But if he did not Swear to his Accompts in the manner the Govt has Certified them, It is humbly Submitted, whether such a Conduct is not very Censurable.

That George Saxby Esqr Rect Genl of his Majesty's Quit rents in South Carolina, is fallen into a method of taking Interest from Such Planters, as are in large Arrear of Quit rent. And in other instances (to my knowledge) he takes advantage of the necessity of the Officers of the Crown, and exacts considerable Sums from them, before he will agree to the payment of their Salarys.

That Mr Saxby has made several charges to the Debit of His Majestys Accomp current, which is not allowed of on the Establishment

That Your Memorialist has often applied to Mr Saxby to have his Accompts laid before him, and that he would make a return of Such Planters as are in arrear of Quit rent. Which Mr Saxby has often refused to Comply with.

Therefore Your Lordships Memorialist humbly prays That Your Lordships would be pleased to take the premisses into consideration. And that Your Lordships in Your Great Wisdom; would be pleased to determine Whether from the

the Nature and design of my Office, there is not much greater and stonger Reasons for Supporting of me in the Execution of His Majesty's Commands, then there was at first for the appointment of an Officer for the Special Uses set forth in my Commission.

I am with all Submission
May it please Your Lordships
Your Lordships
most Obedient & most
Hum.ble Servt
Kenry Mc Culloh

Cape Fear 11th Febry 1746
Recd Sept.br 2d
Read Dito 3d 19th } 1746

B P R O South Carolina B T Vol 10 H 73

(9th April 1715)

To the Right Honourable the Lords Comissionrs for Trade and Plantations

The Humble Representation of John Fenwicke late of the Province of South Carolina

My Lords

As I have been an Inhabitant forty odd years in the Province of S. Carolina and the Honour (great part of that Time) to be one of his Majesty's Council in sd Province. I have thereby had Opperturnitys. as well as making it my business in a private way of life. To Inform myself (in some measure) of the Situation and growing power of the French Settlemts and Garisons On the Mobele and Messicipi Rivers: And therefore I think it my Duty to his Majesty and the British Nation to acquaint Your Lordships how formidable and dangerous they are already become in those parts, to that Valuable Province of Carolina; and how much yr Welfare and Enlargemt of all his Majestys Plantations in America & yr Trade thereof, depends on forceing yr French to Abandon those New Acquisitions wch they have wrongfully usurped and Claim in prejudice of Great Brittain: Humbly laying before yr Lordships how it may be Effected:

and

and that wth no great Additional Expence to yr Nation Provided Speedy and proper Measures are take to Execute the same.

I first begg leave to Inform Yor Ld Ships of the great Addition of Strength wch yr French at those New Settlemts have gained, not only by Opening a free & ready Water passage for large bodys of Men to be Transported from their Settlemts near Canada; but also by the Sole Interest and Influence wch they, and the French at Canada, have Obtained over all the Nations of Indians between Hudsons Bay & the Bay of Mexico, that are of any Consequence to yr English Except One Nation Caled the Senecas (wch lie on the back of New York;) And three more Nations (lying between the French on St Rivers, and the Colony of South Carolina) caled yr Creeks, Chickesaws & Cherokas wch 3 Nations Consists of in the whole about 6.000 Men.

The Senecas its true, have always been (since yr first Settling of the English in those parts) and still remain true and fast friends to yr English; but am sorry I Cant say so much for yr Creeks & Cherokees; who in the Year 1716 (Soon after the French first began their Settlemts about Mobile) wth out any provocation from yr English; Or Other Inducemt Except prompted by the French & Spaniards

and

and for the Sake of present Plunder wch they had in View) did make War wth the People of Sth Carolina, and after they had barborously Murdered & Plundered yr Traders, who resided among them, and also many Hundred of the Inhabitants of that Province they continued their Incursions into the very heart of yr Settlemts And destroyed and laid Waste above two third parts thereof, Even driving the People within a few Miles of Charles Town, And if those Indians had then be headed, Only by a Small Number of French, its more than Probable they would have Reduced the Remaining part of those Settlemts And then Charles Town itself could not have Subsisted long, but must also have fallen a Sacrafice.

As that Warr continued above a Twelve Month before a Peace was made wth the Creek's the French then prevailed on those Indians to Erect a Fort and Garrison on yr Mobele River (Near the Center of their Nation) now called yr Albama Fort, And tho the People of Carolina, have ever since, as well as before, that Warr; Carried on a large and flourishing Trade wth those Indians Yet the French by means of sd Fort, and a Small Trade wch they carry on from thence with the presents wch the King of France Annually sends over for the

the Indians; have gained so Great an Influence over
Several of the People, and some Towns in ye st Nation
that We have never been able to prevail wth those Indians
Either to discourage or Remove ye French from among
them; Nor could we, till lately, Obtain their free Consent
so as to Effect the building a Fort in their Nation,
for ye Security of Our Traders and their Effects in case
of a French Warr; and notwithstanding that Several of the
Towns and head Men, have given assurances of their
Attatchmt and Friendship to the English, & did of them-
selves last Year (at ye Instance of the Lt Governour &
Council of Carō) Inclose ye st Fort wth Pallasadoes, in
Expectation of our sending up some Men to Garrison ye
same; Yet as they are a divided people, some for the
French and some for the English, and no Established
form of Govrnmt amongst them; it is in the Power of
a few, to destroy our Traders, who live Scattering amongst
their Towns, and so Involve ye whole Nation in a Warr
(as that was ye Case on the breaking out of the last
Indian Warr) Therefore should we Neglect or shew a
slight to what those our Friends have done in building
ye st Fort they will most Certainly (on such a Neglect)
think that we are afraid of the French Who by that
means, will have it more in their Power to perswade

and

and Engage that whole Nation, and consequently ye Chicka-saws & Cherokees, to join them against us the Fatall consequence of wch I need not repeat, yet should that happen to be ye case, its as certain that the People of Carolina (having so open and Extensive a Frontier of some Hundred Miles) Can Never prevent the Incursion nor be able to Defend themselves against Such Numerous & Barbarous Indian Enemys, wn ye French will then be able to bring agt them, and by that means make an Easy Conquest of that Province; Not to mention that many of the middling and poorer sort of ye People have declared, that they'l never stand ye Brunt of another Indian War, but make ye best Escape they can to North Carolina wn they now can Easily do by Land.

The Chickesaw Nation of Indians altho they lie at a great distance from Carolina & not so far from the French, have Ever hetherto been true friends to the English, who from Carolina, have allways plentifully Supplied them wth Ammunition and other Goods; but they Never would suffer ye French to live amongst them; wn Brought on a War, and on yt account ye French with Great Bodys of Indians (Even from Canada) have not only Harrased and Destroyed a Great Number of them; but (wch in this 2 or 3 years before the French War) have by

their

their Indians, Intercepted, plundered, & killed Several of our Traders who was go as usual to supply ym with Goods. And for the more Effectual doing of wch and yt our People might have no Correspondence to Trade (as formerly) with the Chocktas (who are now allogether in the french Interest) The French have Therefore Erected a Small Fort on a Branch of Mobile River, not far from the Chickasaws. And by those means yo st Chickasaws have been forced to make a Peace with yo French; and will no Doubt be obliged to Conform to any Term wch they shall think fit to allow them. Especially as yo French have Engaged the Choctas and all the rest of their Indians to be at Warr with them, & Insist upon their driving our Traders out of their Nation.

The Cherokees lies more remote from yo French, and nearer to Carolina And thó we have Carryed on a large Trade with them, and they shew good Friendship to the English; yet by yo Experience we have of their Insolent and Unsteady behaviour; there is no Confidence to be put in those Indians, but they rather ready to joyn in any Enterprize (where there is a view of Plunder) Especially those who live nearest Carolina.

As to the Choctaw Nation of Indians (computed to be at least 5000 Men lying between yo Chickasaws

&

& Mobele) with whom the English from Caro carried on a Great Trade in their Nation, many years before ye French made any Attempt to settle those parts; but after they possessed & fortified themselves at Mobele, they soon found a way not only to Dispose our Traders off that Nation, but also Engaged those Indians to Intercept, plunder, & Kill Some of our People, And to make Ware with us, wch Still Continues; Notwthstanding about 170 of those Indians came to Charles Town about 4 Years Since, to make a Piece & to prevail on us to send Goods to their Nation as Usual, wch was accordingly agreed upon and a firm Peace then made wth those Indians.

It is but about 30 Years Since ye French made any Settlemt at Mobele, or on that part of the Continent, wch they now Call La Luissiana, Nor have they a prior Right (before the English) to the discovery of the Entrance of the Great River Missicipi. & ye Adjacent Countrys; Nor a Right to any part of ye Continent, lying to the Westward of all the British Colonys, & on the great freshwater Lakes to the North wch lie on ye Back of New England and New York; and have for many years, if not Ages, belonged to ye Senecas, who long Since (we are told by Good Authority) made over their Right to ye English. Therefore as the British Crown has a just and Prior Right to all those Territorys;

Especially

Especially from ye sd Lakes Inclusive, to ye Bay of Mexico.
It is to be hoped that his Majesty, and the British
Nation, will (as there is Warr with France) No longer
Suffer the French to Usurp and Enjoy so Valuable a part
of his Majestys Dominions we they have so Unjustly In-
croached upon, & Dispossesed us of, but force them to
Abandon those New Acquisitions we now appear so Dan-
gerous, not only to the Peace and Safety of Carolina, but
to the future Enlargemt, Peace and Prosperity of all the
British Colonys in America; for should they be Suffered
to hold those Unjust Usurpations of Levissiana, and by
that means Carry on the Views we they Certainly have
of Corrupting and Engaging ye Creeks, Chickasaws, and
Cherokees, (as they have already done the Choctas) to joyn
them in the Warr against us, and so make a Conquest
of Carolina, They will then have many fine Ports, and
Harbours, on the Southern Part of the Eastern Coast
of North America, and a Glorious Country for producing
of Provisions Timber, Naval Stores &c we they Greatly want,
Especially to Supply their Sugar Colonys; such an Acquission
to the South, added to those possessions we they already
have at Canada and Cape Britton, to ye North would
be a Thorn in the Sides, not only of all our Plantations
on the Continent, but would endanger also the loss of our

Sugar

Sugar Colonys; but if Speedy and proper measures are taken to Engage the Three ſd Nations of Indians to joyn and assist us agt yt French before they are deluded and tempted to joyn the French against us, we may then wthout any Extrs additional Expence to the Nation, not only reduce the Albama Fort, and other small forts and Settlemts Near to yt Creeks and Chickasaws; and gain the Choctá's also to our Interest, but afterwards be able to reduce their Garrisons and Settlemts at Mobele and New Orleans; wch by Securing the Entrance of those two Rivers; their small Garrisons and Settlemts near those places, would fall of Course, And our Merchts in Great Brittain and the American Colonys would soon be Encouraged to Carry on from thence and from Carolina, a very Extensive and Advantageous Trade for British Manufactors, not only for several Hundred Miles up the Missicipi River, and yt large Branches thereof but also among the Spaniards in the Bay of Mexico, And as the Seneca's are very Powerfull, and live boideing on the ſd Lakes thro wch the French must pass, and also go very near to One or more of the English Garrisons from New York in their way from Canada, into yt Missicipi River, and Trades with the Indians in those parts, wch is chiefly for Furs, but also Supplys their Garrisons and Settlemts

wch

wch they have on the upper part of the sd River. The Government therefore of New York. and other Adjacent Colonys may no doubt with the Assistance of the Senecás: Intercept and prevent the French from Carrying any Supply of Men or Goods from Canada to the Missicipi River, and by that means gain yr Trade and Friendship of all those Indians; who would soon find the Advantage of Our British Workings, wch are greatly Valued by all Indians on that Continent, who have any knowledge thereof. and thereby become as firmly attached to us as the Senecás.

It may at first View be thought very Difficult (wth out Great Expence of Men and money) to dispossess and drive yr French from the Albama, and other Forts and Settlemts of theirs, at and Near Mobele and New Orleans, but if we Engage the Creek Nation to joyn us in Acting Offencively as afores We shal not then fail of Secureing (in like manna) the Chickasaws and Cherokees; And those Indians being a brave and Warlike People, its scarce to be doubted, Our gaining also the Choctás. And Consequently Easily reduce those small Forts and Settlemts And all this may be Effected by providing and giving good Presents to those Indians, and sending 50 or 100 Regular Troops to Joyn them when Occasion, and to Randevouze at and Garrison the Fort already made by our Friends in the Creek Nation

and

and also yt a small Number of the most Experience and best Traders that are Linguisters belonging to each of yr sd Nation of Indians. be Engaged and Employed, to Encourage and head the sd Indians.

But as for the forts and Garrisons at yr Towns of New Orleans and Mobele, (wch are ye support of all yr French Forts and Settlemts in those Parts, and many Miles up the Missicipi River) will require a Naval force by Sea. I shal only begg leave to give an Accot of what I have been Informed by two Credible Masters of Vessels, now living in Carolina, and Men of Good Understanding and Probity, and have been many Voyages at Mobele (the last of wch about three Years since) and one of them at New Orleans viz! That the Establishment at each place was 3 Companys of Soldiers of 100 Men each, but never above half Effective That the Fort at Mobele is four Square, wth Bastians at Each Angle built with Brick, but not very high; and several Small Canon Mounted. that the Towns are very Inconsiderable, and by what they could Discover and were Informed there were not many Settlemts or Inhabitants, Neither in Town or Country. That only Sloops and such like Vessels can go up Mobele River to yr Town, wch is but a small distance from the

Bare

Barr; but there is a Bay or Harbour or two a little to the Westward where large Vessels can go, and lie at anchor, and land anything not far from the Town He that was at New Orleans (being a Sort of Prisonier having had his Vessel Seiz'd) gave me only an account of its being a Miserable poor drowned place, liable to be overflowed by the Great River, and but few People living there Except the Soldiers; Yet I understand that the Kings Ships and Stores goes to that place, where there is deep water and a Good Harbour, so that I leave it to Men of better Judgem[t] in those Affairs: to propose what is Necessary to be provided and done for the Reduction of those 2 Garrisons; Only I beg leave to say that if in case matters are previously concerted, so as to fix a time (when a body of Indians with a proper Person and some Traders to head and Conduct them) shall march from the Creeks to Surprize and Attack the French Settlem[ts] at and near those places about the time the Naval Force may be there; we could hardly fail, in y[t] case, of Reducing those two Garrisons, and all the Settlem[ts] Adjacent; and that w[th] out any Great Number of Troops by Sea, Not more then three or four small Men of War, (w[ch] may be Detached from the Squadron always at Jamaica) to Guard and Assist those Troops.

I

I shall not trouble Your Lordships wth a Repeti-
tion of the Apprehensions wch the Govermt of Carolina
has been under for a few Years past: and wch not long
Since (in two or three Representations and Petitions) have
been laid before his Majesty. Only I begg leave to Observe
that what was then barely Imagined and Expected is
now, (by an Actual Warr wth France as well as wth Spain)
became Real & more Serious and therefore ye remedy for
preventing the Evils (Attending an Indian and French Warr
requires to be more Immediately Applyed, than could (at
that time of Peace wth ye French,) be put in Execution;
I mean the Reducing the sd French Forts and Settlemts
And tho the danger wch attends Carolina, from an Invasion
by Sea; is increased by the French Warr, yet if we can
Secure and Engage ye said three Nations of Indians to Act
Offencively against the French, in the manner before mention-
ed, and also dislodge the French from Mobele and New
Orleans. Neither they nor the Spaniards could have any
hopes or Encouragemt to make any Attempt to Conquer Caro-
lina either by Sea or Land (as the Spaniards Intended two
Years ago) and Consequently ye Inhabitants freed from those
Apprehensions as well as from the Terror they have been
under Ever since the Indian Warr; and thereby Encouraged
to Extend and Improve their Settlemts

But

But as the Success of driving the French from those Usurped Acquisitions, And Secureing thereby the Peace and prosperity of all our American Colonys; depends on Our Engageing the s.d three Indian Nations to joyn us in Acting Offensively against the French as Aforesaid. And as this can no way be hoped for, or promised, Except good Presents are provided, and Ammunition given them from time to time during the Warr, w.ch however is an easy method of Raising Auxilarys / and since the Produce of Carolina is Chiefly Rice, and as that Comodity is so bulkey, and of little Value in Europe, That it will not pay the high Frieght Insurance, Duty and other Charges, w.ch are due upon it, And the People of the Province being already Obliged to pay very high Taxes for the Support of Garrisons, Scout Boats, Sallerys, And many Contingent Charges of Govern.nt w.ch they are Subject to, as being a Frontier, they will therefore be under the greatest Strates and Difficultys Imaginable, Even to Cloath their Familys; and much doubted whether they'l be able to pay a Quarter part of the present Unavoidable Taxes, so that it will be Impossible for them to purchase those Presents, nor probably will such as are proper (now its Warr w.th France and y.e Trade thereby so much discouraged to Carolina) be found in that Province, as will be wanted for the s.d Indians;

It

It is for those Reasons therefore, to be hoped, That his Majesty will be Graciously Pleased to Grant yt sd Presents and Amunition; And yt the same be put under ye Care of ye Govern.r and Council of Carō.a to be distributed Among ye Indians, As they shall see Occasion to Order; but as there will be wanted large Quantitys of Provisions, Horses, Pettiaugers, Negroes, Tools, and other Necessarys wch must be provided for yt Service; And tho ye Same will amount to a Great Value, yet as the People of Carolina will be able to furnish those Articles wch in themselves, I cant doubt but they will Readily do it, And that ye Governmt there, will manage and Conduct every thing, so as to Answer ye End professed, in Giving sd Presents.

I begg leave to Observe one thing further wch is Absolutely Necessary to be provided against and Rectified, and wch if not previously Ordered and Settled by his Majesty, will ruin and make void the Execution of what is herein before humbly offered. And that is, on Acct of some great disputes and differences, wch have and do Still Subsist between the People of Carolina and the Officers of Georgia who have had the Administration of Affairs in that Governmt, And who under pretence, that all the sd three Nations of Indians lies within the

the

the bounds prescribed in the Georgia Charter, the farr from being so, have seized and confiscated (in the Creek and Cherokee Nations) several large Quantitys of Goods belonging to the Traders fitted out and Licenced in Carolina, pursuant to a Law passed there, Agreeable to His Majestys Commission and Instructions to y^e^ Governour of that Province; And did not only force several Carolina Traders out of the Creek Nation, but also Claim'd an Absolute Authority and Command over all Persons who should presume to go amongst those Indians w^th^ out their Special Commission and Licence; and the Indians knowing that all the Goods w^ch^ they are Supplied w^th^ comes from Carolina, Several of those Indian Chiefs coming to Charles Town, did (for these and some other Reasons) show much dissatisfaction and Contempt of y^e^ People of Georgia; And it was w^th^ some difficulty, that y^e^ Lt Govern^r^ and Council made those Indians Sencable that the people of Georgia and those of Carolina, belonged all to one and the same Great King over the Great Water, as they Term it, And as the Inhabitants of Carolina, have been for many years at a large Annual Expence to preserve Peace and Friendship w^th^ those Indian Nations and knowing they have Good Estates to loose, when they of Georgia, are, as yet, Scarce able to find themselves

victuals

Victuals, and having had long Experience in the most Difficult times of Governing and preserving Friendship w^th those fickle and captious People. Therefore for those Reasons (besides many others w^ch may be given, too long here to Enumerate) It is humbly to be Hoped, That his Majesty will be pleased to Grant to y^e Govern^r of Carolina the Sole Command and Authority over all Persons and Affairs whatsoever w^ch shall or may be Imployed and Transacted in any or all of the said Indian Nations

Jno Fenwicke

Rec^d April y^e 9^th } 1745
Read — 23^d }

B P. R O. South Carolina B T. Vol 14 N 104

(1st May 1745)

May it please your Lordships

I hereunto (by His Majesty's Ship Rose) transmitt a Report on His Majesty's Land granted by His Excellency from the 29th of Octo 1744 to April 30th 1745 as Inspector and Controller thereof: Duplicates of which I gave Mr Saxby Receiver General and Mr Cramahee Deputy Auditor & shall by first opportunity send one to Mr McCulloh in North Carolina to enable them to continue His Majesty's Rent Roll

I also as Surveyor General send your Honours a List of my Precepts issued in pursuance of His Excellency's Warrants of Survey directed to me in the said time, Likewise a List of Plats of Lands surveyd by former Warrants & Precepts with their Dates, Quantity survey'd, To whom, where situated the Date of their Return into the Office, of the Surveyor Generals Certificate & of their Delivery in the said six Months, the Laws requiring the Surveyor General to certify on the same Day the Deputy did & the Deputy to certify on the same Day that he finished the Survey occasions my Certificates to be prior in date to the time of the Return or Entry into the office.

Having

Having executed the Office of Surveyor General of His Majestys Lands Inspector & Controller of his Quit Rents two Years on the 29th Day of April last these are my fourth half yearly Reports to Your Lordships of the Business done in said Offices. With my former Reports I informed your Honours that the Perquisites of the Surveyor Generals Office (as now) were so very small even no more than my Predecessor gave his Clerk and that Mr Sacky refuses me the Salary of a hundred pounds Proclamation Money paid quarterly by him to Mr St John in lieu of all Fees as Inspector & Controller and granted him by his Commission as may appear by the Record in the Office the 31st March 1731 & his Instructions recorded in the Secretaries Office of this Province — With my first Report I sent your Lordships a Duplicate of my Commission from the Honble the Lieutenant Governor attested from the Secretaries Office of this Province wherein are these words 'And by these Presents do 'Commissionate Nominate & Appoint the said George 'Hunter to be Surveyor General for the admeasuring 'Surveying And Selling out of Lands in our said Province 'of South Carolina And also to be Inspector & Controller of our Quit Rents & other Rents & Revenues

arising

arising to us within our said Province To Have Hold
Exercise & Enjoy as well the said Office of Surveyor as
the said Office of Inspector & Controller as fully & abso-
lutely to all intents & purposes whatsoever as the said
James St John in his lifetime or any other Surveyor &
Inspector & Controller heretofore hath done or might or
could have done Together with full Power & Authority to
Demand Take & Receive all & Singular Fees Profits Allow-
ances & Advantages whatsoever to the said Offices or
either of them belonging or in anywise appertaining, in
as full & ample manner as the said James St John
or any other person exercising the said Offices in our
Province aforesaid, did or might have done Given under
the Great Seal of our said Province & Dated the 29th
Day of April 1743. The literal sense whereof I concluded
to Imply that I was entituled to said Sallary upon
Executing said Offices which I have accordingly executed
these two Years (and that without one Complaint)
I doubt not but your Lordships will construe the same
in the same Sense, And Pray that by Your Lordships
favour I may have an Order from the Right Honble
the Lords of the Treasury on Mr Saxby Receiver General
for my Arrears he requiring the same.

If Your Lordships will be pleased to appoint
me

me into said Office with the Sallary (without which the most frugal person cannot live in Charles Town) I shall esteem myself under the highest Obligation to acquit myself to Your Lordships Satisfaction.

I am

Your Lordships most Obedient
& most humble Servant
George Hunter

South Carolina Charles Town
May 1st 1745
Rect July ye 8th
Read Dº 22 } 1747

B P R.O South Carolina Vol 14 A 105

(1st May 1745)

A List of Grants passd since October 29th 1744 to April 30th 1745 Recorded in the Secretaries office of South Carolina Report A 4

Grantees Names	Acres	Township or County	When Granted
John Luke	400	Welch Tract	1744 December 6
Thomas Evans	125	D°	D°
D°	100	D°	D°
D°	75	D°	D°
Abel Evans	100	D°	D°
John Evans	200	D°	D°
D°	100	D°	D°
Evan Vaughan	100	D°	D°
Simon Parsons	100	D°	D°
David Harry	126	D°	D°
John Newberry	100	D°	D°
Daniel James	100	D°	D°
Thomas Moses	220	D°	D°
John Jones	100	D°	D°
Thomas Elleby	250	D°	D°
William James	200	D°	D°
William Farrel	100	D°	D°

Tilman

Grantees Names	Acres	Township & County	When Granted
Tilman Kolb	150	Welch Tract	1740 December 6
Capt James Stewart	550	Berkley County	Do ____ ____
Eliza Berkely	840	Do ____	Do ____ 8
Isaac Porcher	800	Do ____	Do ____ ____
Do ____	300	Do ____	Do ____ ____
Lewis Linder	300	Do ____	Do ____ ____
Thos Brown	200	Do 11 Miles from the Church Saturn	Do ____ ____
Isaac Brunson	200	Craven County	Do ____ ____
Patrick Brown	150	Saxe Gotha Township	Do ____ ____
John Shillig	150	Do ____	Do ____ ____
Hanna Mar Stelea	250	Do ____	Do ____ ____
John Lacey	250	Amelia Township	Do ____ ____
Do ____	200	Do ____	Do ____ ____
Janet Beaty	150	Kingston Township	Do ____ ____
John Rodolph Grond	350	Purrysburg Township	Do ____ ____

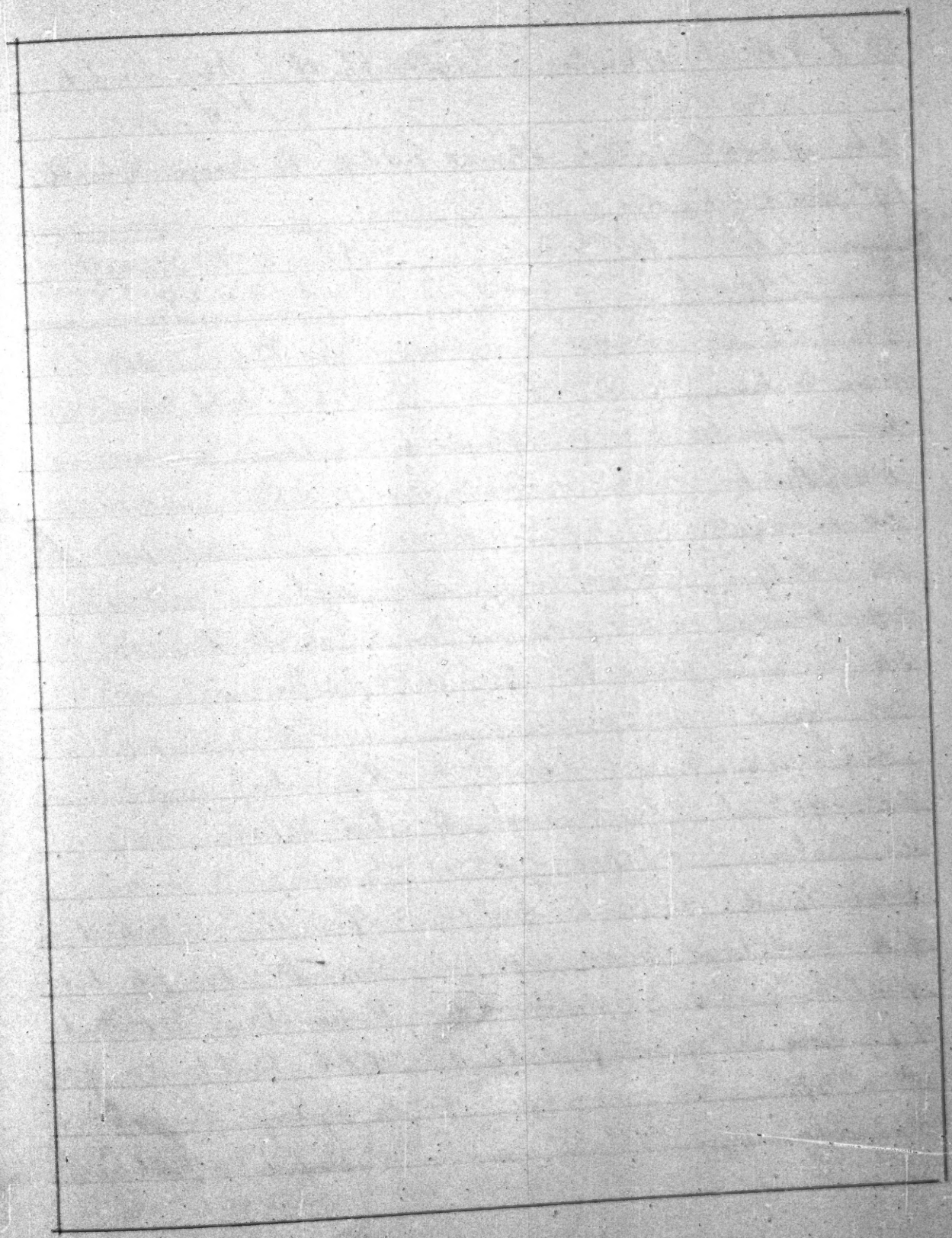
These Grantees above the Red prickld Line their Quit Rent of four Shillings Proclamation Money commences from the Date of their Grants. Those below the said Line their Quit Rent Commences ten years after the date of their Grants

May 1st 1705

George Hunter
Inspector & Controller

Recd July 3d
Read Dito 22d } 1707

Recd with Mr Hunters Letter dated 1st of May 1705



B P R O South Carolina B. T Vol 14 H 106

(1st May 1745)

An Account of Plats delivered out of the Surveyor Generals 30th 1745 (being six months)

Date of Governors Warrant			Date of the Sur Genl Precept			Where to be surveyd and Quantity	
1732	February	22	1735	December	16	Purrysburg	350
1737	Do	3	1737	February	7	Welch Tract	650
1740	September	19	1740.	September	19	Do	150
1744	April	13	1744	April	13	Special	400
1744	December	3	1744	Decemr	3	Do	700
1737	July	15	1737	July	19	Amelia	100
1739	January	1	1739	January	2	Welch Tract	400
1736	Octor	14	1736	Octor	14	Amelia	300
1739	Jany	31	1739	Jany	31	General	700
1736	Decr	11	1736	Decr	11	Williamsburg	150
1736	Augt	25	1736	Augt	26	Williamsburg	250
1742	Novr	25	1743	Septr	10	Resurvey	
1744	April	13	1744	April	13	Special	300
1736	June	1	1736	Sept	3	General	700
1744	Janry	18	1744	Janry	18	Williamsburg	250
1739	Jany	1	1739	Feby	2	Welch Tract	150
1738	Septr	11	1738	Septr	14	Orangeburg	150
Do			Do			Do	50

Report N° 4

Office of South Carolina from the 29th of Oct 1744 to April

Quantity Surveyd for whom County or Township	When Certifid by Surr Genral	When returnd into the office	When Delivered
350 Inº Radolph Grand Twnyshug	1744 October 31	1731 September 2	1704 October 8
650 John Kolb Welch Tract	1743 January 3	1743 January 3	____ Nov 10
150 Silman Kolb Dº____	Dº____	Dº____	____ Dº____
300 Lewis Linder Berkley	1744 September 11	1744 October 20	____ Dº 21
300 Samˡ Hudson Dº____	1744 Decr 11	Dº Decemr 11	____ Decemr 11
100 Mary Hagget Amelia	1743 January 6	1738 Jany 8	____ Dº 2
400 Peter Highley Welch Tract	1744 Decr 14	1741 June 21	____ Dº 14
300 Eliza Doggett Amelia	Dº____	1736 Feby 4	____ Dº 14
700 Henry Young Colleton	Dº____ 17	1744 Decr 19	____ Dº 19
150 Saˡ Taylor Williamsburg	Dº Sepr 25	Dº Jany 18	____ Jany 18
250 Rogr Gibson, In Trust Dº	Dº Jany 18	1743 Novr 11	____ Dº ____
696 Roulle John Cleland Craven	Dº Novr 23	1744 Decr	____ Dº ____
300 Jacob Bridge Berkley	Dº Sepr 11	Dº Octr 20	____ Feby 1
700 Jonathan Calkins Craven	Dº Feby 11	1736 Decemr 22	____ Dº 1
156 James Gamble Williamsburg	Dº Jany 20	1744 Feby 14	____ Dº 18
150 Moses Crosby Welch Tract	Dº Feby 18	Dº April 26	____ Dº ____
150 John Kapperdyel Orangeburg	1743 Jany 2	1739 July 26	____ Dº 28
50 John Balyiger Dº____	Dº____ ____	Dº Octr 18	____ Dº ____

Date of the Governor's Warrant	Date of the Surv Gen'l Precept	Where to be surveyd and Quantity	
1738 June 24	1738 Sept 6	Orangeburg	200
1744 Dec 3	1744 Dec 8	Special	250
D° April 14	D° April 14	Saxe Gotha	100
1743 Feby 23d	1743 Feby 23	Welch Tract	100
1743 May 23	1744 May 23	D° _____	450
1744 Dec 3	1744 Dec 3	D° _____	600
1739 May 11	1739 May 11	Wel Tract on Quenboro	600
1741 June 27	1741 June 27	Welch Tract	100
1736 Feby 10	1736 Feby 10	D° _____	150
1744 Dec 3	1744 Dec 3	Special	600
1743 Nov 10	1743 Nov 10	Wel Tract	600
D° _____	D° _____	D° _____	150
D° _____	D° _____	D° _____	350

Quantity Surveyd for whom County or Townships	When certified by Sur General	When returned into the office	When Delivered
200 Geo Shower Orangeburg	1743 Novr 4	1739 July 25	1744 March 1
250 Jacob Young opposite to Saxe Gotha	1744 Feby 27	1744 March 15	___ Do 15
100 John Weisinger Saxe Gotha	Do Jany 16	Do ___ ___	___ Do ___
101 Saml Desaurancy Wel Tract	Do Augt 31	Do Sept 11	___ Do 21
431 Saml Bucholon Do	Do Sept 19	Do Mar 21	___ Do ___
600 Abm Coloon Do	Do Jany 31	Do ___ 19	___ Do ___
200 / 100 S John Newberry Do	Do Mar 21	1743 Jany 6	___ Do ___
110 Philip James Do	Do ___ ___	1743 May 20	___ Do 22
150 Richd Barrow Do	Do ___ 23	1739 May 19	___ Do 23
400 Natl Snow Berkley	Do ___ 8	1744 Mar 28	___ Do ___
700 Fras Young Welch Tract	Do May 10	Do ___ 23	___ Do ___
150 Do ___ Do ___	Do ___ ___	Do ___ ___	___ Do ___
350 Jas Jones Do ___	Do ___ 12	Do ___ ___	___ Do ___

May 1st 1745 George Hunter
Surveyor General

Recd July ye 2d
Read ___ ye 22d } 1747

Recd with Mr Hunters Letter
dated ye 1st of May 1745

B P R O South Carolina B T Vol 14 H 107

(1st May 1745)

Report N.o 14

An Account of the Precepts issued from the Surveyor Generals Office in pursuance of the Governors Warrants of Survey from the 29th Octo.r 1744 to 30th April 1745 being Six Months

Date of His Excell.y Warr.t & Surveyor Gen.l Precept			For whom	Where Situated	Q.ty
1733 March		17	Hugh Christie	General	500
1744 Novem.r		13			
1744 Decem.r		1	John Matthys	Special	150
D.o	———	———	Rich.d Haynsworth	D.o ———	350
———	———	———	Jacob Spuhl	Saxe Gotha	150
———	———	———	Mary Bear	Amelia	100
———	———	3	Rodolph Butcher	Saxe Gotha	250
———	———	———	Paul Harvalson	Fredericksburg	500
———	———	———	Ulrick Stocker	Orangeburg	50
———	———	———	Jerem.h Racine	D.o ———	150
———	———	———	Hans im Boden	D.o ———	100
———	———	———	Dav.d Am Stutz	D.o ———	100
———	———	———	Ita Orly	D.o ———	50
———	———	———	Abr.m Colson	Welch Tract	600
———	———	———	William Baker	Special	250

Date of Gov. Warrt or Surv. Generals Precept			For whom	Where Situated	Qty
1744	Decemr	3	Jacob Young	Special	250
___	___	___	Samll Hudson	Do ___	700
___	___	___	Natl Snow	Do ___	600
___	___	___	Anty Wright	Do ___	450
___	___	___	Oliver Mchaffy	Do ___	150
___	___	___	John Wildermoot	Amelia	50
___	___	___	William Pressly	Williamsburg	300
___	___	___	Jeffy Summerford	Fredericksburg	400
___	___	10	Michl Young	Special	150
___	___	___	Conrade Kuntsler	Do ___	250
___	Jany	16	Geo Venson	Do ___	600
___	___	11	Jas Gamble	Williamsburg	250
___	___	___	Andw Burch	Saxe Gotha	400
___	___	___	Jacob Geiger	Do ___	150
___	___	___	Melchior Souwd	Do ___	150
___	___	___	Michl Augster	Do ___	150
___	___	___	Hans Geo Shellefy	Do ___	100
___	___	22	Willm Hutson	Resurvey	
___	___	29	James Bourdeaux	Do ___	
___	___	___	Gaspar Kauly	Saxe Gotha or Amelia	
___	___	___	Jacob Shneider	Do ___	200
___	___	___	Michl Shneider	Do ___	100

Date of Warrt & Surv	Gov^rs Generals Precept	For Whom	Where Situated	Qty
1744	Jany 23	Jacob Derex	Saxe Gotha & Amelia	150
D°	——— ———	Barbara Shleigler	D° ———	31
———	——— 24	John Trasher	Special	99
———	——— 29	Edw^d M^c Graw	D° ———	200
———	——— ———	Solomon M^c Graw	D° ———	200
———	——— ———	Ja^s Anderson	D° ———	100
———	——— 31	Mich^l Kumer	Orangeburg	350
———	——— ———	Hans Jacob Geiger	Special	100
———	February 1	Hugh Murphy	D° ———	350
———	——— ———	Henry Snelling	D° ———	100
———	——— ———	Wm Inneway	D° ———	100
———	——— 14	Thomas Dale	D° ———	600
———	——— ———	Nich^s Seller	Orangeburg	700
———	——— 11	Dietrick Miller	D° ———	200
———	——— 20	John Hitchcock	Welch Tract	200
———	——— 27	Hans Ulrick Sporly	Saxe Gotha	50
———	——— ———	John George Kirsh	Orangeburgh	250
———	——— 15	Casper Faust	Saxe Gotha	200
———	——— ———	John Keithley	Welch Tract	250
———	——— ———	Martin Fridig	Special	100
———	——— ———	John Jacob Fridig	D° ———	150
———	——— 16	Alex^r M^c Cree	D° ———	150

Date of Gov.r Warrt & Surv.r Generals Precept	For whom	Where Situated	2.4
1744 February 16	John Williams	Frederickburg	350
——— ——— ———	Jacob D Huffs	Saxe Gotha	300
——— ——— 19	Hans Michael Graft	D.o ———	300
——— ——— 20	Johannes Resler	D.o ———	250
——— ——— 21	Thos Ellerbee	Welch Tract	1000
——— ——— ———	Gee Staurat	Kings Tow	450
——— ——— 22	John Georg Shellepfig	opposite Saxe Gotha	150
——— ——— ———	John Abberly	D.o ———	250
——— ——— ———	Wm Harris	Special	300
——— ——— 23	Jas Gilespie	Welch Tract	350
——— ——— ———	Saml D Saurancy	D.o ———	650
——— ——— ———	Thos Wallexelson	Special	300
1745 March 21	Johan Chris Kunser	Saxe Gotha	200
——— April 29	Joseph Cook	D.o ———	100
——— ——— ———	Jeremiah Cook	D.o ———	100
——— ——— ———	Hans Polly	Orangeburg	200
——— ——— ———	Casper Nagely	D.o ———	50
May 1st 1745	George Hunter	Surveyor General	
Recd July 9th 5th Read Dito 22d } 1747		Recd with Mr Hunters Letter dated 9th 1st of May 1745	

B.P.R.O. A+W.I. Vol. 19 p. 240

(7 May 1745.)

South Carolina.

Before Benjamin Whitaker Esqr. Chief Justice of the Province of South Carolina.

These are to Certify that on the Seventh day of May in the year of Our Lord One Thousand Seven hundred and Forty Five. Personally came & appeared before me James Wedderburn Esqr. Clerk of the Crown & Peace who being duely Sworn on the Holy Evan-gelists of Almighty God made Oath that the Papers hereunto annexed are true Copies of the Presentments of the Grand Jury for the Body of this Province at a Court of General Sessions of the Peace Oyer and Terminer Assize and General Goal Delivery holden at Charles Town on the Third Wednesday in October in the year of Our Lord One thousand seven hun-dred and Forty four. And also of the Presentments of the Grand July for the Body of this Province at a Court of General Sessions of the Peace Oyer and Terminer Assize and General Goal Delivery holden at Charles Town on the third Wednesday in March in the year of Our Lord one Thousand seven hundred and forty four and five, and in the Eighteenth year

year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c so forth taken from the Original Records remaining in the Office of the Clerk of the Crown & Peace in Charles Town in the Province aforesaid.

In Testimony whereof the said Benjamin Whitaker hath hereunto set his Hand and Affixed his Seal on the day & in the year aforesaid.

Benj. Whitaker.

(Enclosure.)

B.P.R.O. A. & W. I. vol. 19 p. 241.

(Enclosure.)

South Carolina

The Presentments of the Grand Jury for the Body of this Province at a Court of General Sessions of the Peace Oyer and Terminer Assize and General Goal Delivery begun and Holden at Charles Town the Twentieth day of March Anno Domini 1744 before the Honble Benjamin Whitaker Esqr Chief Justice and his Associates Justices of Our Lord the King.

1. We present as a Grievance the Pernicious Practice and underhand Trade carry'd on in Charles Town & other Ports in Carolina by Vessels under the Protection of a Flag of Truce, which Vessels do carry and convey to the King's Enemies at Augustine and the Havannah not only Provisions but Ammunition Arms & Intelligence and Neglecting to Clear out at all the proper Offices.

2. We present the Pernicious Practice of the Two and Sixpenny and one and Threepenny Bills Issued by People almost unknown in this Province.

3. We present the Pernicious Practice of the Negroes in Charles Town playing at Dice and other Games, which are great inducements for their Stealing, likewise the ill Consequences which may attend the gathering to-

-gether

7th

-gether such great Numbers of Negroes, both in Town and Country, at their Burials and on the Sabbath day.
4. We present the great want of a Good and Sufficient Prison to confine Malefactors.
5. We present the Commissioners of Goos Creek Parish for their Neglect of keeping in Good repair the several Bridges in the said Parish, particularly the Bridges at the Plantation of the late Robt Hume, the water courses at the Plantation of the late Mr Lloyd, & the Watercourse at the Plantation of Mr Keating & Mr Rothmaler.
6. We present the Pernicious Practice of Gaming at unreasonable hours, in Publick Houses by which many unwary People are drawn into larger Expences than their Estates are sufficient to Maintain.
7. We present the Room at Mr Shepherds where the Sessions is holden at Present as too small by which Means his Majesties business is much retarded & every person who comes on business incommoded.
8. We present the Commissioners Appointed by an Act of Assembly for making a Bridge at the North end of the Bay to Trotts point, for not making the same.
9. We present as a Grievance the French and Spanish Prisoners being suffered to walk about the Town, in so

Publick

Publick a manner.

10. We present the Commissioners concerned in the Roads between Mr Rantoles & Wallaces Bridge & from thence to St Paul's Church.

11. We present the Bridges that leads to White Point.

12. We present the Commissioners of St Thomas Parish for their Neglect in not repairing the Causeway that leads from Capt. Boneaus Ferry to Mr Peter Boneau's. Whereby Travellers are obliged to Pay double Ferrigge.

13. We present the bad roads that leads from Lebas Ferry to George Town, more Especially the head of Cedar Creek.

14. We present the bad roads that leads from Combahee Bridge to Port Royal Ferry.

15. We present the Commissioners of St James's Santee for not keeping in repair the Roads from Savannah Creek to the Low Pen of Major Ravenell, called St Thomas's.

16. We present as a Grievance the Commissioners of St John's Parish for not keeping Watboo Bridge in Repair.

17. We present as a Grievance the want of Church Commissioners by which the Church affairs, of Consequence cannot be transacted.

18. We present as a Grievance, the notorious Neglect of the Watch in Charles Town, thro whose supiness many Stores has lately been robbed and in a late case of Fire 'twas a considerable time before they could be brought to give their Assistance.
19. We present as a Grievance John Rice for not executing a Warrant from Mr Gibbs against 9 slaves for disorder on ye Sabbath day.
20. We present as a Grievance Willm Garnes one of the Officers of the Watch, for entertaining Seamen & Negroes at Unreasonable hours and barrying Juggs of Liquors for his Watchmen when on Duty.
21. We present as a Grievance & Pernicious Practice of Mr Causton in Rapers alley for keeping an Unlicensed Tavern & disorderly House.
22. We present as a Grievance Mrs Dixon, but Mrs Bent, Obadiah Allen, James Velleaux, Jno Thompson James Moulain. James Howell Mrs Coulliett Mr Delebeck at the Bear, William Smith that lives in the house of the Late Gignilliat, Mr Bissett near the Watch house. Mrs Cowley & John Sosobee for Retailing Liquors to Negroes & keeping disorderly Houses.
23. We present as a Grievance the Commissioners of St James's Santee for not keeping Oeadaw Bridge in

in Repair.

24. And lastly We present as a Grievance the little notice taken of former Presentments, more particularly the last.

Benj^{a} Waring. (L)	Isaac Hayne (L)	Tho. Monck Freman (L)
Robert Sams. (L)	James Cordes (L)	John Smith. (L)
George Eveleigh (L)	Tho^{s} Butler (L)	John Walter. (L)
Humphry Sommers (L)	Jon^{a} Scott (L)	Tho^{s} Miles (L)
Thomas Holman (L)	John Gough (L)	James Fowler. (L)
Jos. Brailsford (L)	Thomas Johnson (L)	John Jackson. (L)
Jn^{o} Ward. (L)	Tho^{s} Clifford (L)	Jn^{o} Gignilliat (L)
	Chales West. (L)	Moses Martin (L)

a true copy

J. Wedderburn
att. of the Crown & Peace.

B.P.R.O. A+W.I. Vol. 19 p. 242.

(Enclosure.)

South Carolina.

The Presentment of the Grand Jury for the Body of this Province at a Court of General Sessions of the Peace Oyer + Terminer Assize + General Goal Delivery begun and holden at Charles Town the seventh day of October Anno. Dom. 1744 before the Hon^ble Benjamin Whitaker Esq^r Chief Justice + his Associates Justices of Our Lord the King.

1. We Present as a Grievance the Commissioners of High Roads on John's Island in the Parish of St John for their very great Neglect of the Roads Bridges + Causeways which have not been worket upon these three or four years so that some parts are almost impassable.

2. We present as a Grievance the Commissioners of Goose Creek roads for their Neglect in the repairs of the same + Particularly that part of them near the late Mr Robert Humes's upwards where there are several small Bridges quite out of Repair + dangerous to pass.

3. We present as a Grievance (the disregard of the Governor's Proclamation in) the having drove + still driving

driving distemperd battle throught others Plantations Pastures Stockes & Lands & even down to the Quarter way House where several have lately died of the same Distemper & of People who make a practice of killing distemperd battle and selling them at Market and those who have left their dead battle unburied on their Lands and Marshes.

4. We present as a Grievance the want of a Ferry from Port Royal Island, on, to Lady's Island for the relief and safety of the Inhabitants of the said Lady's Island and St Helena Island & Granville County in General.

6. We present as a Grievance the want of a Ferry from Edisto Island in St Johns Parish on to Mr Brown's Island lying in St Pauls Parish for the relief and safety of the Inhabitants of both the St Parishes

6. We present as a Grievance that many Negroes in Charles Town in defiance of the 31st Paragraph of the Negro Act do openly buy & sell sundry sorts of Wares Also that many Retailers of strong Liquors in defiance of the 31st Paragraph do sell Rum to Negroes Also that Negro Men do hire themselves to work without a ticket from their respective Masters & Mistresses in defiance of the 33rd paragraph & whereas the 40th

Paragraph

Paragraph restrains Negroes to wearing Apparell of a Low Price it is apparent that Negroe Women in Particular do not restrain themselves in their Cloathing as the Law requires but dress in Apparell quite Gay and beyond their condition, to purchase which they must either steal from their Masters & Mistresses or gain them by other Practices equally vicious.

7. We present as a Grievance the unfinished state of the Fortifications of Charles Town. Also the want of a New Magazine the old Magazine being too small & too near the Places of divine Worship.

8. We present as a Grievance the Bridge in Church Street leading to White Point being in bad repair Also the Bridge near Granville's Bastion being in bad condition.

9. We present as a Grievance, and of dangerous consequence to the Neighbourhood a Chimney in Union Street belonging to Mr Grimstone which has often been on fire, 'tis built in a shed room, just under the side of another house and must (if not prevented by being pulled down) set that House on fire to the great Prejudice of that part of the Town also a Chimney belonging to Mr Paul Trapier which is

built

built in the same manner as the other under the singles of the house to Messrs Hopton & Smith & also all chimneys in General which are not built three foot above their respective Roofs.

10. We present as a Grievance Mr Francis Goddard who keeps a Publick House for refuseing to admitt the Revd Mr Hugh Stewart into his house at a seasonable Hour being then in very great Distress

11. We present as a very great Grievance that proper care hath not been taken by the Acting Magistrates of several Parts of this Province in Granting Licences to sell strong Liquor but have granted the same to able Tradesmen contrary to an Act made & Provided in that case.

12. We present as a Grievance Abraham Roulain & James Dickesey able Tradesmen of St Hellena Parish for keeping Punch Houses to the great detriment of most of the Neighbouring Inhabitants in the Hoospaw District in the aforesaid Parish Also John Arenow of St Bartholomews Parish as Able Tradesman for keeping a Scandelous Punch House to the detriment of the Neighbours thereabouts.

13. We present as a Grievance the want of proper Constables in the Hoospaw District in St Helena Par-

-ish

-ish for want of which several who have committed Robberies and have passed false Bills have made their Escapes.

14. We present as a Grievance the Ruinous condition of Fort Frederick in Granville County being the only Fortification we have to the Southward.

15. We present as a Grievance Negroes being allowed to go from Town in the Country under the Pretence to pick Myrtle Berrys &c.a and who at the same time carry Rum & Liquors to trade with Negroes in the Country by which they are debauched & Encouraged to steal & robb their Masters of their Corn & Poultry & other Provisions.

16. We present as a Grievance the great Insolence of the Negroes in Charlestown by gaming in the Streets & Caballing in numbers thro' most parts of the Town especially on the Sabbath day.

17. We present as a Grievance the Indecent & very little regard shew'd to Christian Burying places by the old Church Yard being laid open & fenceless like a Common for Cattle.

18. We present as a Grievance a due regulation of weights & measures throughout the province not being observed.

19. We present as a Grievance the suffering of Hoggs to run about the streets of Charles Town contrary to an Express Law.

20.

20. We present as a Grievance the great want of a Scavenger for keeping clean filling up & levelling the Streets in Charles Town.

21. We present as a Grievance the want of a due regulation in the sale of Loaf Bread which especially affects the Poor People.

22. We present as a Grievance to the Inhabitants of Charles Town that Smiths & Tallow Chandlers should follow their particular Occupations in the Heart of the said Town to the common danger & Nuisance of the Inhabitants thereof in Generall.

23. We present the several Presentments made to the Court by the several Constables laid before us.

24. We present the Watch of Charles Town for their neglect of Duty by which means frequent Robberies are committed Also one of their Officers keeping a Punch House many of the said Watch repair late to their Duty & often in Liquor.

Robt Brewton (1)	Benjn Cattell (21)	B. Godwin Foreman. (1)
Geo. Downing (1)	Saml Eveleigh (21)	Robert Pringle. (1)
Nathl Payne. (1)	Tho. Everson (21)	Jn. Mettlewes. (21)
James Desceaux (1)	Geo. Livingston (21)	John Stone. (21)
Willm Edings (1)	Isaac Ladson (21)	John Watson (21)
Andrew Desceaux (1)	Wm Shackelford (21)	B. Evance. (21)
Edwd Bullard (1)	John Hovry (21)	Tho. Porter (21)
A true Transcript	Attorney of the Crown & Peace.	Jonth Drake. (1)

B. P. R. O. A & W. I. Vol 19 p 200

S. Carolina May 8th 1706

May it Please your Grace

By Captain Frankland in his Majesties Ship Rose who will have the honour to deliver this Letter to your Grace I have taken the liberty to lay before you the presentments of the Grand jurys for the body of this Province at the Courts of General Sessions Oyer and Terminer Assize and general Goal delivery holden at Charles Town in October and March last.

By these presentments your Grace will in some measure perceive the inexpressible concern and dissatisfaction of his Majesty's faithfull and truly loyal Subjects of this Province that no effectual care has been taken by this Government to prevent or in any manner discountenance the supplying and giving aid and intelligence to his Majesties enemies from almost every part of this Province by which means the Enemy becomes intimately acquainted with our weak and defenceless condition and may be tempted to Surprize and invade us and from the frequent visits that are without restraint made from hence to Augustine the Enemy have notice of every Ship that Sails over the bar of this harbour as well as the time of their Sailing and an account of most

Vessels

Vessels that are expected from other parts.

A most extraordinary instance of this kind very lately happen'd One Julian in a Spanish Sloop which he commanded who was well known from the account of prisoners he had taken to have committed several depredations on the coast and particularly during the last fall. This very man under the colour of a Flagg of Truce not long ago brought here four Irish men pretended to be Prisoners but who have since disappeared and was permitted by this Government to stay here about two months and during that time to carien and compleatly fit his Vessel very near our principal Battary at the south side of Charles Town which was out of repair and in a most ruinous condition which he had an opportunity fully to view no doubt to his great satisfaction. He was also permitted without the least restraint to visit every part of Charles Town at all hours of the day and night, he was suffer'd afterwards to return in his Sloop to Augustine and in a few weeks appeared again off from this Bar and in sight of Charles Town in Company with two French Privateers took a Brigantine and on the coast several smaller Vessels as the Prisoners which they released and sent ashore gave an Account.

During all those transactions Capt. Frankland

happened

happened to be detain'd in this harbour to condemn and dispose of a valuable prize which he had brought in here and was an Eye Witness of the transactions I have had the Honour to relate to your Grace and is capable of giving your Grace a much better and fuller account of the affair.

I humbly hope I shall obtain Your Grace's pardon for my presumption in taking the liberty to write to your Grace on this occasion but as I have the honour to bear an Office of some importance under his Majesty I have always endeavour'd to shew my Zeal for his Service. I have done everything which was proper for me in my Station to discourage and discountenance evil practices of every sort

I cannot presume to interfere with the Actions of the Governour his Majesty has been pleased to appoint a Council whose proper province it is to advise him however I humbly hope if an Officer who is in the Service of the Crown shall see his Majesty's interest neglected and those things permitted or connived at which may endanger the safety of his Dominions he may with diference and due Submission represent it to your Grace as the most effectual means by your Graces powerfull interposition to obtain safety and protection

protection for his Majestys Subjects in this Province
I am

May it please your Grace
with the highest respect
Your Grace's most Obedient
and humble
and most devoted Servant
Benj^a Whitaker

South Carolina
5th May 1705

(See Precedents &c page 281 Vol II 1705/6)

B P R O Ar Y I Vol 629

(11th May 1715)

To the Kings most Excellent Majesty

The Humble Petition of the Governor Council and Assembly of Your Majestys Province of South Carolina

Sheweth

That on the third day of June 1702 the Council and Assembly of this Province signed an humble Petition to be presented to Your Majesty praying your Majesty's gracious Protection and assistance against your Majesty's Enemys the Spaniards.

That at the time of transmitting the said Petition your Majesty was engaged in a War against the King of Spain only but that your Majesty has been since obliged to declare War against the French King.

That during the War with Spain alone your Majestys said Province was exposed to great danger and the Neighbouring Colony of Georgia was actually invaded by a considerable force but by the blessing of God the Enemy was then disappointed Nevertheless your Majesty's Subjects of this Province were at a great Expence which they were hardly able to support for the Assistance of Georgia and the Security and defence of both Provinces.

That

That since the breaking out of the War with the French the danger of your Majesty's said Province must necessarily be greatly encreased and in case the French and Spaniards should join their forces against us such is our inability at present to defend ourselves that 'tis greatly to be feared we should become an easy Conquest to such United Invaders without Your Majesty's powerfull Assistance.

That the Harbor of Port Royal since the Loss of Your Majesty's Ship Loe is Left in a manner defenceless and as the Enemy is now become acquainted how capable that Port is of receiving Ships of force it is justly apprehended that the Enemy will be tempted to resume their former designs and even without the assistance of the French endeavour to possess themselves of that important Harbor and fortify themselves there.

That the loss of your Majesty's Sloop Swallow and one of our Provincial Galleys has proved an additional misfortune and has left our Coast more exposed to the depredations of your Majesty's Enemys.

That Charles Town our principal place of Trade and the repository of all our Warlike Stores and most valuable Merchandize is liable to be surprized on

on a sudden attack since an Enemy in a few hours after they are discovered may come up to Charles Town through the ordinary Channel where there is nothing to interrupt them by Fort Johnson on James Island in which are mounted thirty three pieces of Cannon of Eighteen twelve nine and six pounders Garrisoned by no more than twenty five Men who cannot be reinforced under some hours by the Militia of that Island which consists of between Seventy and Eighty Men unexperienced in the Management of Great Guns or the defence of fortified places.

That besides this there is an open unguarded Channel through Hog Island Creek by a late Survey of which it appears that any Vessel that can come over Charles Town Bar may pass out of the reach of the Guns of Fort Johnson And as the Enemy can without difficulty pass through this Creek so they may with very little opposition get ashore on the points of Land on the North side of Charles Town without passing near the Guns mounted on the fortifications or they may run up Cooper River and Land under their own Guns at places where little resistance can be made and march down on the Neck of Land to Charles Town which is quite open

on

on the Land side.

That on the several Wharfs and bridges in the front of the Curtain Line are erected a great number of Store Houses which by Law in time of actual Invasion are to be pulled down but it will be the work of at least twenty four Hours, to remove those Impediments during which time the Cannon on the Curtain Line can be of little service

That the Charles Town Militia doth not even in times of alarm consist of more than Seven hundred and fifty Men from Sixteen Years of age and upwards and though about three fourths of them are obliged to appear in Arms six times in the Year for one day this cannot be thought sufficient to train them to exact discipline nor can it be reasonably supposed though all other objections and difficultys were taken away that such an handfull of Men can be able to manage the Cannon and defend the Works which extend near a Mile especially as the Enemy have usually taken their opportunity to Invade these parts at a season when few Seamen or transient persons are in Port so that it is highly probable that in case of a sudden attack without the opposition of a more powerfull Naval force than Your Majesty has been

pleased

pleased to order for the protection of this Province Charles Town may be in the possession of the Enemy before any assistance can possibly arrive even from the nearest parts of the Country and in such a case the Town can hardly expect to be admitted to a Capitulation

That by means of Clandestine Traders your Majesty's Enemys may receive frequent Intelligence and become intimately acquainted with our weak and defenceless condition whence it is justly apprehended that they will be tempted to invade us e'er long.

That the Calamitys of this Province are exceedingly increased by the entire decay of our Rice Trade which must soon impoverish the Inhabitants since that Grain is now become not worth the labor and expence of making and bringing to the Market of Charles Town, whereas a few years ago it sold from six to Eight Shillings Sterling per hundred but at this time will hardly yield Eighteen pence.

Under these great misfortunes Calamitys and distresses we throw ourselves at your Majestys feet and most humbly beseech and implore your most Sacred Majesty to take the present unhappy condition of your most faithful and loyal Subjects of this Province into your Royal consideration. And particularly that your Majesty will

will be graciously pleased in order to prevent the utter ruin of our Rice Trade to give us leave to transport that Commodity directly to places where it may be disposed of to some advantage And that your Majesty will be pleased to order Convoys to be settled for our Outward and Homeward bound Ships for the protection of the Trade to this Province And that your Majesty will be also graciously pleased in Your Royal goodness and bounty to grant us a competent number of Galleys to defend our Settlements on the many Inlets on this Coast and (as we have so convenient a Harbor as Port Royal) such other additional Naval Strength of larger Ships as shall be thought necessary for the better protection and defence of this Your Majestys Province And also to grant us such further relief and assistance in such manner and by such ways and means as your Majesty in your Royal Wisdom shall think fit and requisite.

And Your Petitioners as in duty bound shall ever pray &c.

In the Council Chamber the 11th day of May 1745

James Glen, William Bull President, William Bull Junior Speaker

A true Copy examined and attested this 15 day of June 1745

Childermas Croft Clerk of the Assembly

(In Gov: Glen's of May 20th 1745)

B P R O Ay W I Vol 19 p 238

(Inclosure to Lr to Govr Hamilton) S. Carolina Charles Town 25th May 1746
Oct 11 1746

Sir

I arrived here the End of March after a tedious Passage I find Our Governor has been very inquisitive about the Naval Office and I am told hinted to some of his Friends that he intended to appoint an Officer for by Act of Parliament he has that Power, However I think he will Scarcely venture to dispute his Majesty's Pleasure, I waited on him lately with your Deputation to me which I left with him for his Perusal, When your Mandamus was sent over here there was no Certificate from the Commrs of the Customs of Your having given Security, I have offered to give Security here but the Governor objects and says a Deputy cannot give Security Another thing he observes that your Mandamus from his Majesty is only an Order for him to appoint you Naval Officer here And till a Commission was made out for you here that you had no Right to appoint a Deputy As I had a Commission from the former Governor when Mr Cleland resign'd to me before Mr Wheatleys death I continued to Act by it I did not think it necessary to Shew your Mandamus nor indeed could I make

make any use of it, as by a mistake of Mr Greaves or Mr Fryer the first Deputation from you was to Mr Cleland who as he was Compt[r] of the Customs could make no use of it, This he might have made a Handle of at first and perhaps he intends it now in order to have possession of the Office for ten or twelve Months from the time your are appointed here till a new Deputation comes from you. He may likeways perhaps insist that you should reside here agreeable to your Mandamus. I only mention these things as what may be. But I think he will scarcely venture to use his Power in this case. However I think a Short Letter from Mr Pelham would go a great way to clear all his doubtes, this you may remember you promised me in London you would soon get. And I hope you have got it for I believe I shall have all the Trouble he can give me I shall be glad to hear from you when you have Opportunity; I shall soon write you again what steps are taken here, there are very few Ships here now and few expected so that it is very likely I shall get nothing by the Office this year nor perhaps during the French War, this I foresaw and mentioned to Mr Greaves who assured

assured me in that case that you would make a reasonable, abatement in the Rent as a consideration for my trouble As Mr Wheatley had formerly done to Mr Cleland

I am

Sir

Your most humb Servt

Alexr Murray

I pray my Compliments to Mr Greaves.

[Endorsed To Apsley Brett Esqr at Lewes in Sussex
p the Rose Man of War To care of Mr John Watsons]

B P R O South Carolina B T Vol 11 K 74

(25th May 1746)

My Lords

On Saturday last the 25th of this Instant May, I put an end to a very long Session of the Assembly, & as I remark'd to Your Lordships in a former Letter, that the method observed in this Country had been by long Adjournments and not by Prorogation, I gave them leave to adjourn to Tuesday the thirtieth of July, having first given my Assent to nine Acts, which shall be transmitted to Your Lordships as soon as they can be copied fair, and I shall at the same time send such remarks upon each of them as Occur to me. But I must observe to Your Lordships that the Tax Bill was rejected by the Council, and that you may have the clearer notion of that matter, I shall give you a short history of it.

For these many years past, I believe from the first raising of Taxes in this Government, all persons possess'd of Lands or Slaves were obliged to give in an Account of them upon Oath in Order to their being rated, and about five years ago, that Oath was extended to money at Interest of People living in the Country, many there having large Estates in money, and as they

received

received ten ℔ cent for it, it was imagin'd they might well contribute to bear a share of the Publick burden, and as Money could not so well be ascertained as Land or Slaves, it was thought the more necessary to be done upon Oaths This had so good an effect in the Country, that last year it was imposed on the Town, and tho there was a little Opposition to it at first, yet that soon dyed away, and many People discovered large Sums at Interest for which they had never paid anything, by which means, tho the Quota of the Town was no less than in former years, yet most people in Town found the Load lightened, by being more equally laid, and upon those who were best able to bear it, the people that had great Sums at ten ℔ cent Interest. This my Lords is a true deduction of this matter. The Assembly seeing, as they imagined, many good Effects that flowed from this method, passed the Supply Bill in the same manner this year, but it seems the Council rejected it, as Your Lordships may perceive by the following answer from the Assembly to one of my Messages.

"May it please Your Excellency

"To answer to Your Message of yesterday recommending to this House to make due provision for defraying

'defraying the charges of the Government and for Satis-
'fying of such Debts as have been incurred in Conse-
'quence of the Resolutions of both Houses: We are to
'acquaint Your Excellency that this House very Chearfully
'granted to his Majesty a Sum necessary for defraying
'the Charges of the Government and for that purpose pass-
'ed a Tax Bill framed in such manner as this House
'thought most agreeable to Justice, & sent the same to
'the Council, but to our great concern & surprize their
'Honours yesterday rejected the said Bill, and sent it
'down to this House.

'As it is not in our power to make provision
'in any other manner for satisfying the Creditors of
'the Publick, we shall dispatch what business lies before
'us, that an end may be put to this Session as soon
'as possible.

However I recommended to them to fall upon some method of supporting the publick Credit, which they have effectually done by voting Interest at the rate of ten p Cent p Annum to all the Creditors of the Publick, and to all persons whose names were in the Estimate till the passing of the Tax Bill, which I hope will be soon, Your Lordships will see the form of the Oath in the last Year's Tax Bill.

The

The Reason I presume that moved the Council to reject the Bill, was the uneasiness expressed last Year by some of the Merchants, who alledged that there was a Difference betwixt money lent upon bond by a Planter, with no other view than to receive Interest, & Bonds which Merchants often took when they could not get payment of their debts, they said further that it tends to discover the circumstances of Traders, whereas Trade is sometimes carry'd on by Credit only. besides it is not authorized by the practice of Great Britain I beg to hear from Your Lordships upon this Subject.

Rice which hitherto has been our sole support, is at present of such small value as scarcely to be worth planting, which is very discouraging to the whole Province Tho' I am hopefull it may have the good Effect of making them try other Experiments. I informed Your Lordships that last year we had raised some Indigo, which was found to be as good in Quality as the French, this year great numbers of planters have tryed it. We are likewise making larg Plantations of Orange Trees which I am hopefull in a few Years may enable us in some Measure to Supply the London Market.

I

I shall by the first Shipping after these, send home the Crown of the Emperor of the Cherrokees, to be laid at his Majestys feet with an Account of our present Situation, with regard to all the Indian Nations that surround this Government and also of the French and Spaniards and their Indians in Florida and Louisiana.

I Intend soon if the excessive heat do not prevent me to visit all the New Townships, of all which I shall likewise send an Account.

I am with the greatest respect
My Lords Your Lordships
most Obedient and most
humble Servant
James Glen

So Carolina
May 28th 1746

My Lords

This Letter with my other dispatches to the Government were to have been sent home by Capt Frankland Commr of the Rose Man of War who sailed from this two days ago but I missed the Opportunity by a Quarter of an hour. But since that time I have had Occasion to converse with several of the members of Assembly, and I believe there is reason to assure your Lordships that they will tenaciously adhere to their former Opinion, that such a discovery upon Oath is absolutely necessary. I have

likewise

likewise conversed with some of the most eminent Merchants who opposed it last year and they now declare that they do not apprehend it to be hurtfull or injurious to Trade, and further some of them ingeniously confess, that having now made a Discovery of their money at Interest, which was three times more than ever they had been assessed for they would think it unequal if every other person was not obliged to do so.

The Assembly consists of forty two members, the Council consists of nine only, three being in Great Britain, and of these nine two were absent of the seven present three were for passing the Bill, as I have been informed

As both the Council and Assembly are men of Sense, I am persuaded, that if Your Lordships are of Opinion that the Oath is pernicious, and signify to me so much, the Assembly may be easily persuaded by Your Lordships superior knowledge in the Trade and the Constitution to pass a Tax Bill without such Oath; On the other hand if Your Lordships are not apprehensive that it may be productive of bad Consequences I have no doubt but the Council will pass it with the oath; But I entreat to hear from You Lordships by the very first Conveyance

I am with the greatest respect My Lords Your Lordships most Obedient and most humble Servant

James Glen

To the Right Honble The Lords of Trade

Read May 9th 1746
Read — 2d

B P R O A & W. I. Vol 19 p 235 Duplicate

(28th May 1745)

My Lord

The Governour Council and Assembly of this Province have most humbly petitioned His Majesty that He may be graciously pleased to take the danger to which it is exposed, into his Royal consideration, and to send such relief in Shipping and otherwise, as He in His great Wisdom shall see meet. And I have by this Conveyance transmitted their Petition to your Grace, that it may be laid before His Majesty.

Upon the Loss of the Ld Man of War, I fully informed Your Grace of the condition of Port Royal, a harbour capable of receiving fifty or even Sixty Gun Ships, but perfectly open, and I beg leave to mention to your Grace that two forty Gun Ships stationed there would prove a great Security to this whole province, it would draw people there to settle, by which means our Southern Frontier would be strengthened, the Ships would never be froyen up as they are towards the North, nor would the men be liable to the contagious sicknesses of the more Southern Climates, but being in a plentifull healthy country they would be ready upon any Emergency for our defence and the protection of

of our Trade or for any expedition against the Enemy, or to watch for their Treasure passing thrō the Gulph of Florida.

The three Independent Companies that were some-time ago prayed for would prove usefull in preventing or suppressing any Insurrections of our Negroes who are numerous, they would prove of great Service in case of an Attempt by an Enemy, and they would give heart to our own people.

Charles Town is in the same condition it was last year, the compleating our Fortifications was deferred till the Arrival of Capt. Bruce, His Majestys Engineer of the Bahama Islands, We have now had the Assistance of that Gentleman, and Yesterday I gave my assent to an Act of the General Assembly for carrying his Advice into immediate Execution, which being only to raise a Battery of earth to guard a Creek by which it is apprehended Ships may pass; to draw a line accross the narrow neck by which the Town communicates with the Country, & to clear away the rubbish before our Curtain line, may I hope be speedily finished. When this is done I shall send your Grace the Plan and description of Charles Town which I promised to send last year, but which I have hitherto delayed

till

till all was compleated. These Works will cost abnt three thousand Pounds Sterling, for which Sum Orders will be given upon the Fortification fund, to be received back by the Treasurer in Taxes, but not to be a tender to any person as money, these Orders are by the Act appointed to be burnt when brought in, which will be in two Years.

I shall by the next Conveyance transmit to Your Grace the Crown of the Emperor of the Cherockees that it may be laid at his Majesty's feet, and shall at the same the same time Acquaint Your Grace of our present Situation with regard to all the nations of Indians that surround this Government and also of the Spaniards & French and of their Indians in Florida & Louisiana.

I have given the Assembly leave to adjourn for two months, but some days before, I sent a Message, that they might make provision for the charge of Government as I had recommended in my Speech at the beginning of the Session, to which Message I received the following Answer.

For Answer to your Message of Yesterday recommending to the House to make due provision for defraying the charge of the Government and for satisfying

of

'of such debts as have been incurred in Consequence
'of the Resolutions of both Houses. We are to acquaint
'your Excell.y that this House very chearfully grant-
'ed to his Majesty a Sum necessary for the defray-
'ing the Charges of the Government, and for that
'purpose pass'd a Tax Bill, fram'd in such manner
'as this House thought agreeable to Justice, and
'sent the same to the Council, but to our great
'concern & surprize, their Honours yesterday rejected the
'said Bill and sent it down to this House.

'As it is not in our power to make provision
'in any other manner for satisfying the Creditors of
'the Publick, we shall dispatch what business lies
'before us, that an end may be put to this Session
'as soon as possible

By order of this House

However, the Assembly desirous that the publick
Credit should not suffer, and that all such as have
demands upon the publick should have Justice done
to them, have come to a Resolution which is ordered
to be printed in the Gazette; That all persons whose
Names are in the Estimate of this Year should have
an Interest after the rate of ten ₰ Cent till the
next Tax Bill passes. This gives a General satisfaction

and

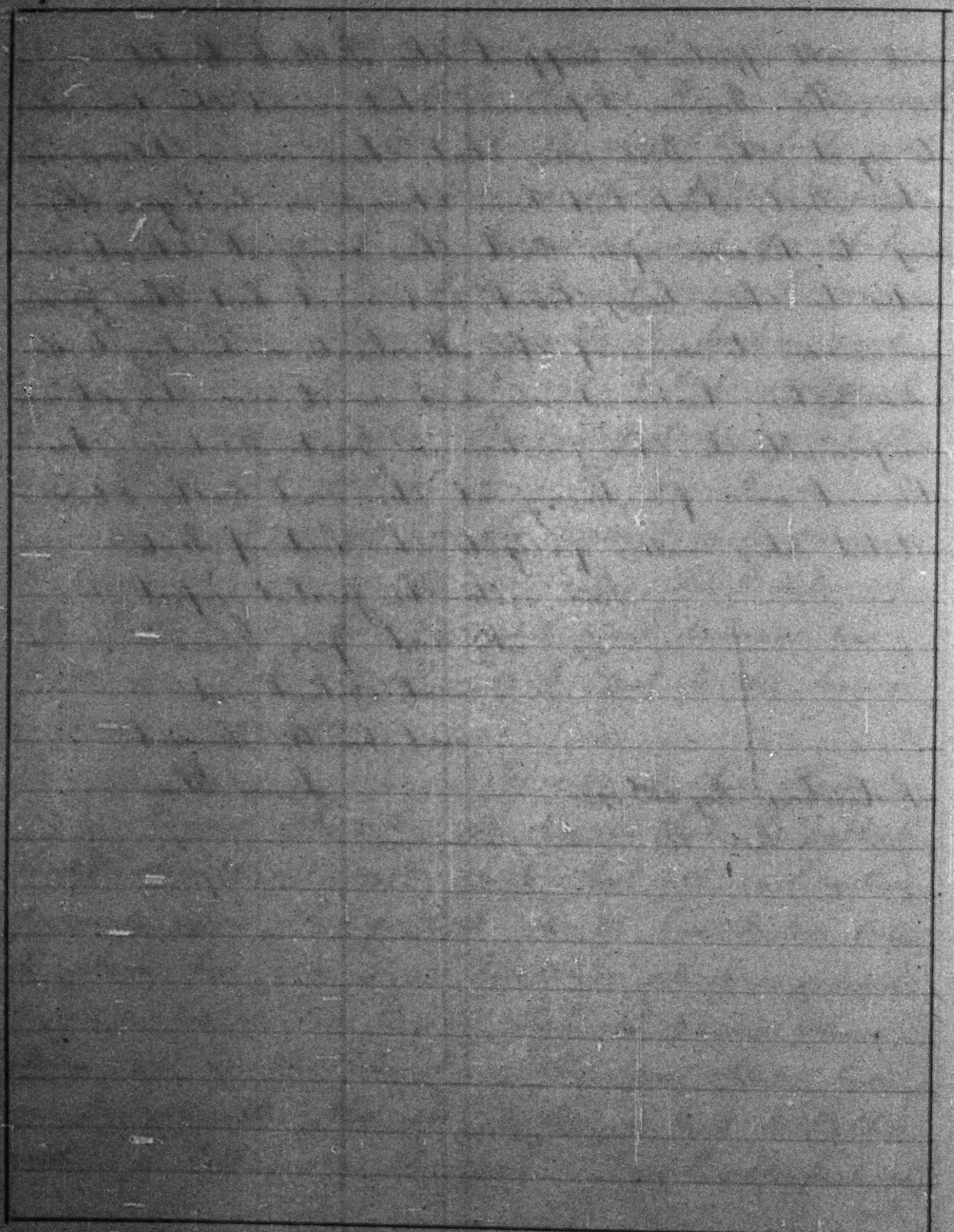
and will effectually support the Publick Credit.

The Reason I presume that moved the Council to reject the Bill was, that there was a Clause in this Bill, which had been likewise in last years Obliging to discover upon Oath their money at Interest, in order to their being taxed, and as it had then given uneasiness to some of the Merchants as tending to discover their Circumstances, and as it was thought not conformable to the practice in Great Britain, the Council were for leaving out the said Oath. I have stated this matter fully to the Lords of Trade.

I am with the greatest respect
My Lord Your Grace's
most Obedient and
most humble Servant
James Glen

S. Carolina May 28th 1740

(To His Grace the Duke of Newcastle)



B P R. O. South Carolina B T Vol 27 p 99

(27th June 1745)

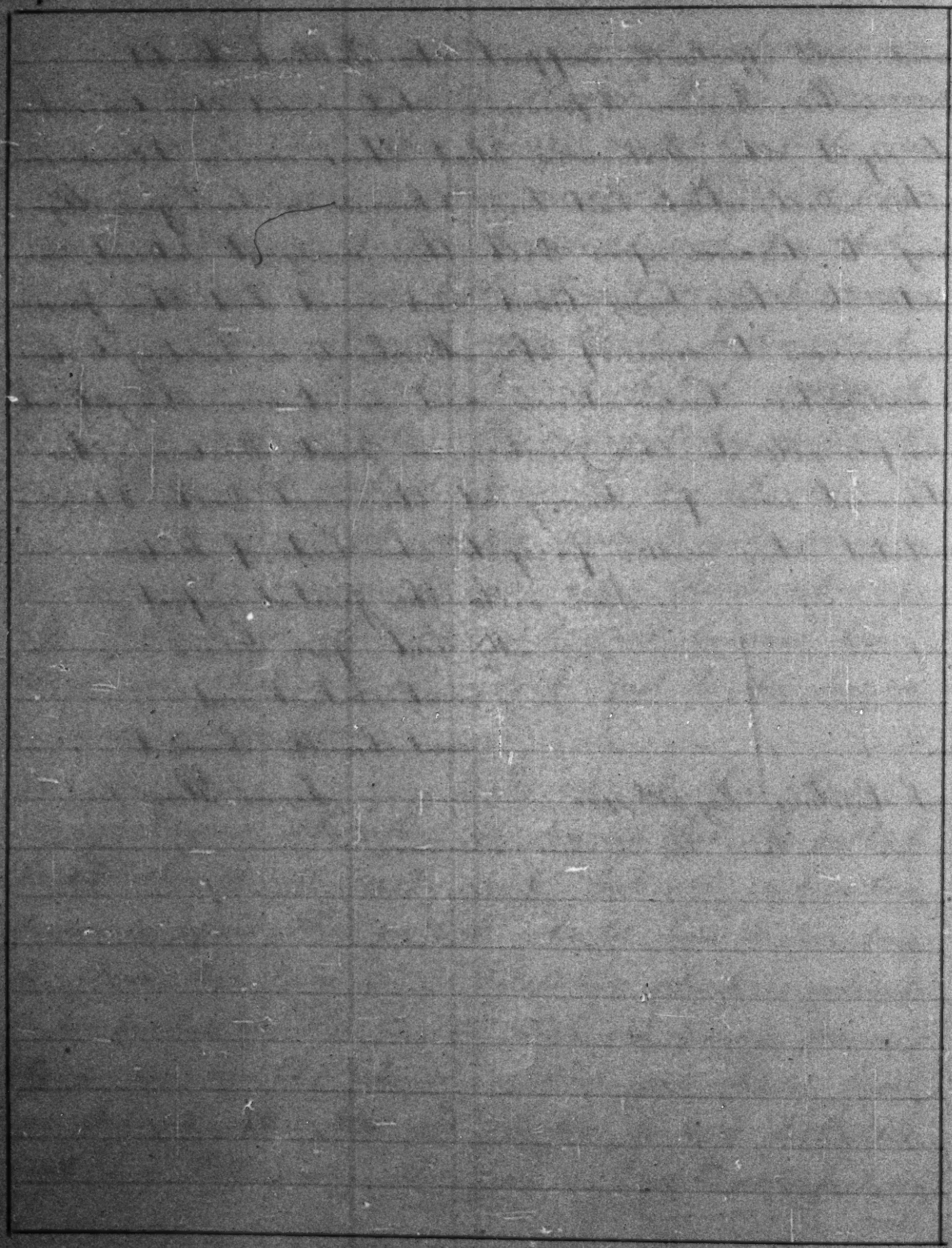
To James Glen Esq. Govr of South Carolina

Sir

Since our Letter to you of the 30th May 1744 (which we are concerned to find was not come to your hands in Septr last) We have received yours of the 2d of July. & 22d of September 1744, and 2d of February 1744/5. with the several Papers therein refer-ed to.

The sending of such a State of the Province under your Government as you mention in your Letter of the 2d of July 1744. as also the making a General Survey thereof, and the method you have put in Practice of Establishing Parish Registers are necessary and good Designs, it being greatly for His Majestys Service, that We should always, but more especially now in the time of War be daily informd of every Circumstance than anyways relates to the Safety & Well being of His Majestys Dominions in America, but with respect to the Survey, as we know no Precedent of money granted here for defraying Charges of that nature, We hope the Assembly may be induced to provide for it as a publick Service.

We



B P R. O South Carolina B T Vol 27 f 99

(27th June 1745)

To James Glen Esqr Govr of South Carolina

Sir

Since our Letter to You of the 30th May 1744 (which we are concerned to find was not come to your hands in Septr last) We have received Yours of the 2d of July. & 22d of September 1744, and 2d of February 1744/5, with the several Papers therein refer-ed to.

The sending of such a State of the Province under your Government as you mention in your Letter of the 2d of July 1744. as also the making a General Survey thereof. and the method you have put in Practice of Establishing Parish Registers are necessary and good Designs, it being greatly for His Majestys Service, that We should always, but more especially now in the time of War be daily informd of every Cir-cumstance that anyways relates to the Safety & Well being of His Majestys Dominions in America, but with respect to the Survey, as we know no Precedent of money granted here for defraying Charges of that nature. We hope the Assembly may be induced to provide for it as a publick Service.

We

The making extravagant Grants of Lands, has been an Evil that has greatly obstructed the Cultivation and Settlement of severall Valuable parts of His Majesty's Dominions in America, for which reasons Instructions were framed to restrain the Governors of Carolina in this respect, and particularly for reserving the Lands belonging to the Townships ordered to be laid out for the purposes for which they were originally intended, and We are very much concerned to hear so little regard has been had to His Majestys Instructions upon this subject, We therefore desire you would in your next send us a very explicit & Authentic Account of the Grants passed by Colo Broughton & the Council to themselves of the Lands belonging to the said Townships, and that you will discourage all applications of this kind for the future.

We commend your Readiness to assist your Neighbouring Colony of Georgia upon the Report of an intended Invasion, as well as the vigorous Methods you took for putting your own Province into a proper Posture of Defence, and are glad you had the concurrence of the Assembly therein.

We are very well satisfied with the prudential Measures which you took to prevent any disturbances

in

in the Province on account of the infamous Murder committed by the Natchues on the Cattabaw Indians; and since the excessive use of Rum gave rise to this disorder We doubt not but you will put the Laws vigorously in execution against the Person who furnished them with this Rum.

We are glad to find a disposition in the Province to attempt Pot Ash, Indigo or any other Manufacture that may be of Service to them and their Mother Country, and hope they may succeed therein

The Capture of a Ship by ye Spaniards on board of which there were 270 Swits Protestants destined for your Province is an incident that gives us much concern, but as you have made application to the Governor of the Havanna for their Release, and urged the Injustice of their Detention, we are in great hopes that you will procure their Liberty. So We bid you heartily farewell, and are

Your very loving Friends

Whitehall
June 21st 1715

Ja Brudenell Monson
R Plumer M Bladen
B. Leveson Gower

P S

Whereas Doubts have arisen in some of His Majesty's Plantations

Plantations in America. whether any of His Majestys Natural born Subjects taken on board any of the Enemy's Ships committing Hostilities against his Majestys Subjects, & thereby guilty of High Treason, may be try'd as Pirats by the Courts of Admiralty in the several Plantations; We send you inclosed An Act entituled An Act to amend an Act made in the seventh year of the Reign of King William the Third, Entituled an Act for the more effectual suppression of Piracy for your Conduct therein.

Monson

B. P. R. O. South Carolina B. T. Vol. 18 1671

Whitehall Sept. 10th 1745

My Lords

I send your Lordships herewith by His Majesty's Command, an Extract of a Petition of the Governor, Council, & Assembly of South Carolina to the King, relating to the Rice Trade of that Province, Representing the Calamities they are reduced to by the entire Decay thereof; And Desiring, that to prevent the utter ruin of the Rice Trade, they may have Leave to transport that Commodity, directly to Places, where it may be disposed of to some Advantage: And I am to signify to Your Lordships His Majesty's Pleasure, that you should take the same into your Consideration and report your Opinion thereupon

I am

My Lords,

Your Lordships

most obedient humble Servant

Holles Newcastle

Board of Trade

(For the above mentioned Petition see 11th Sept. 1745)

Rec.d Sept. 11th } 1745
Read Do. 17th }

B P R O South Carolina B T Vol 27 p 103

(30th September 1745)

To John Scrope Esqr Secry to the Lords
of the Treasury

Sir

My Lords Commissioners for Trade and Plantations having lately received a Representation from Mr Mc Culloh, Commissioner of his Majesty's Quit Rents in North & South Carolina, dated at Cape Fear the 16th of February 1744/5 relating to several Obstructions he has met with in Regulating the Revenue of His Majesty's Quit Rents in the Province of North Carolina &c. I am commanded by their Lordships to send you the inclosed Copy of his said Representation and to desire you would be pleased to lay the same before the Lords Commissioners of His Majesty's Treasury for their Information

I am

Sir

Your most humble Servt

Thos Hill

Whitehall
Septr 30th 1745

B P R O Ad W I Vol 19 fo 231

Lewes Octr 11th 1725

Sr

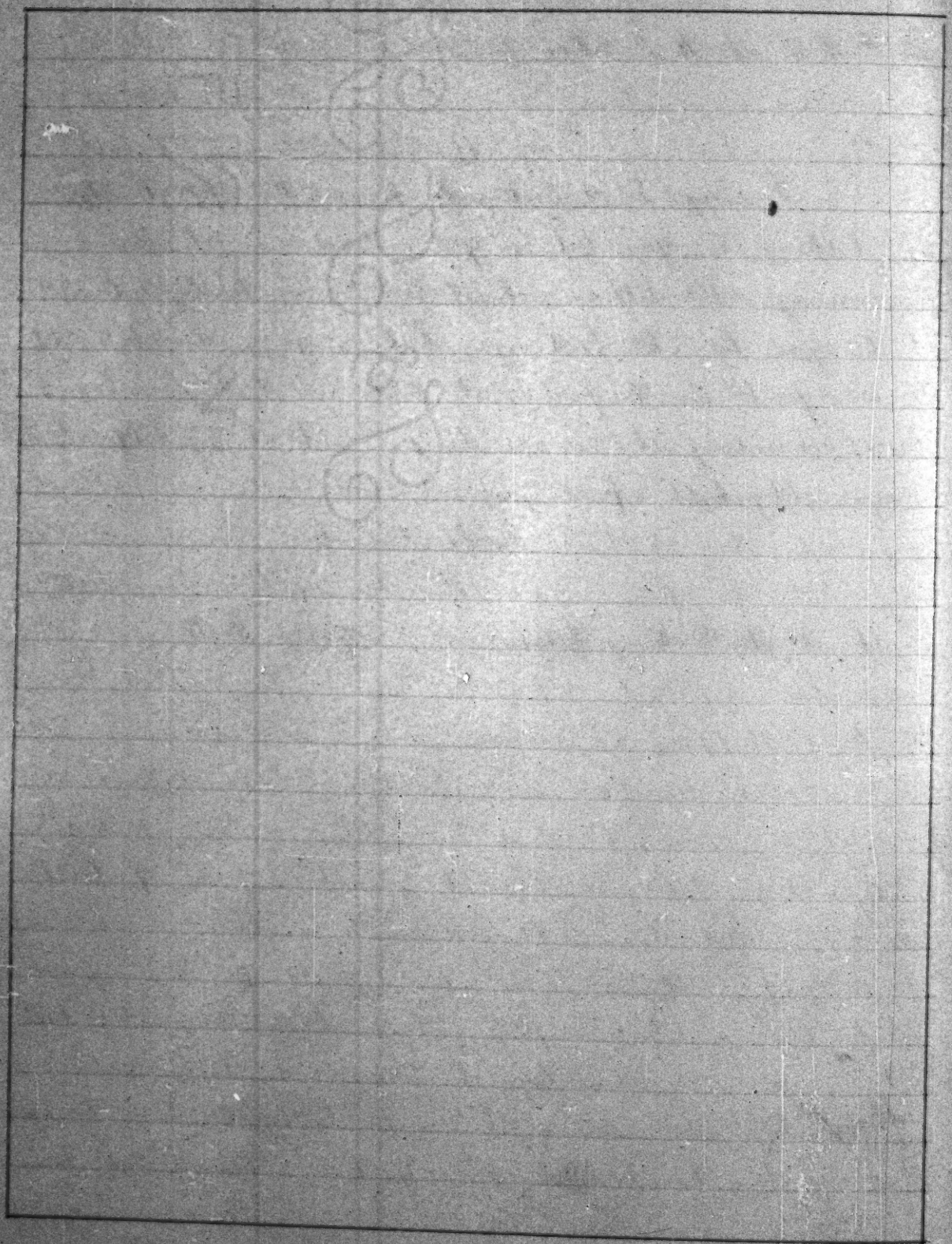
Fearing I should not have the opportunity of talking to you while your Honour is at Lewes, concerning the Letter inclosed, I have made bold to send it to you by Mr Debourge, hoping your Honour would be so good as to peruse it, & do what lays in your Power concerning it, in so doing I think my self always obligated, from your Honours

most Obedient

Humble Servt

To the Rt Honble Henry Pelham Esqr Apsley Brett

(For Inclosure See 25 May 1725 Signd Alex Murray)



B P R. O. South Carolina B T Vol III H 79

(21st November 1705)

Reasons humbly Offered for Granting Liberty to Export Rice directly from South Carolina to any Foreign Port or Place in Europe and America without being first brought to Great Britain

It is computed there may be about 10,000 White Inhabitants Men Woman and Children in the Province of South Carolina, and known to be about 40,000 Negroes All wch are Supplyed Annually from Great Britain with Cloathing and other British Manufactures to a considerable Value, And the Returns for those Manufactures being chiefly made in Rice (the Principal Staple of said Province) the same has Imployed (before the French War) about 300 Sail of Shipping Annually.

South Carolina is a Frontier Colony Against the French & Spaniards. And many large nations of Indians under their Influence, On the Southern parts of North America; And it is well known that the Situation & Produce of that Province have not only for some years past, but is still capable of Contributing greatly to the increase & advantage of the Trade & Navigation of Great Britain, as well as producing a Considerable Revenue to the Crown, Especially, from the Rice Trade.

The

The Province of South Carolina has for some years produced Annually about 100000 Barrels of Rice, weighing each 600 ℔ neat. about eight or nine parts in Ten wherof, are sent to Holland, Hamburgh Bremen & other places in the Baltick which are the chief Markets for vending that Commodity. but as Rice is one of the Enumerated Commoditys the Master of Every Ship or Vessel intending to carry Rice to those Places is obliged by Act of Parliament, to enter into Bond with Sufficient Sureties (before he takes any Goods on Board) not to carry any such Rice to any foreign Markett until he enters and gives in a Manifesto of all his Cargoe to the Collector, or other proper Officer of his Majesty's Customs in some Port in Great Britain And there unload and Weigh all the Rice he has on Board in Order for Payment of the Kings Duty, And then he is at Liberty to take a Permit to reship & Carry the same to Holland or other of the said places; All which Creates a great expence & loss of Time to the Merchant or owner of the said Rice. which is conceived to be without any Advantage to his Majesty's Revenue or the Nation in General, Other than what it may be to some few factors which its hoped will not be put in Competition with the Preservation &

Encouragement

Encouragement which so valuable a Branch of the Trade & Navigation of Great Britain now stands in need of nor will any way be opposed in Granting such Liberties to the Planters & Merchants Trading to Carolina, As are now (in regard to the Rice Trade) Humbly Petitioned for, to his Majesty by the Legislature of sd Province, & now found by them so absolutely necessary for keeping the most part of the Planters, Tradesmen, & common sort of People from Ruin, & going elsewhere to seek a livelihood, Or otherwise to imploy their Industry in producing of Wool, Cotton, & other Articles which the Country is capable of Yielding to Cloath & Subsist their Families.

That ever since the Commencement of the French Warr, the high Freight & Insurance Added to the Duty & other Charges Incumbent upon Rice landed in Great Britain, does often bring the Merchant or Owner in Debt or at best, seldom produces him more than One or two Shillings Sterling ℔ Hundred Weight to answer the first Cost, nor have the Planters for many months last past, been able to sell their Rice in Carolina for more than one Shilling or Eighteen Pence ℔ Hundred Weight by which means they are disabled from purchasing Cloathing & other Necessarys of Life for themselves and Families. Or paying any thing for the Support of Government Or towards

towards the Quit Rents due to His Majesty. And the Merchants being also discouraged from Importing Goods amongst them, or sending Ships to carry off their Rice has occasioned now at this time many Thousand Barrels of Rice to lie upon the Planters hands; which being Perishable in that Hott Country, will be of no value to the Owner; and should Rice be continued an Enumerated Commodity, & remain under the present hardships & discouragements, That Branch of Trade will most certainly be lost to the Nation, & consequently the Navigation & Consumption of British Manufactures lessened in Proportion.

That Notwithstanding liberty was given by Act of Parliament in the year 1730 And Still continued under certain Securitys, Restrictions, & Regulations (particularly mentioned in sd Act) for many of his Majesty's Subjects to Export Rice from Carolina, directly to any part or Place in Europe to the Southward of Cape Finister; Yet however the Markets in those parts (which are chiefly at Lisbon & Oporto) seldom takes of more than 7000 Barrels Annually that goes directly from Carolina, which showes there is no great Consumption or demand for Carolina Rice in that part of Europe: but as a Bond with Security is enjoyned by the said

Act

Act to be given to the Commissioners of the Customs in London; in order for the Payment of the Kings Duty & preventing any other Enumerated Commoditys being carryed to Foreign Markets; And that all Ships & other Vessels carrying Rice to those parts, shall be obliged (Immediately after they have delivered their Cargoes at any of the sd places) to come to Great Britain before they return to Carolina, or go to any Port or Place whatsoever; And no loss having attended his Majesty's Revenue (but rather a Gain of about 3 p cent occasioned by the Shrinking of Rice) nor any Clandestine Trade or other disadvantage to the Nation, has any way been discovered by Granting such Liberty; it is therefore hoped that the like Permission will also be granted for carrying Carolina Rice directly to Holland, & other Foreign Ports or Places in Europe in like manner, & under the like Regulations & Restrictions, As are now enjoyned by the said Act of Parliament for carrying that Commodity to the Southward of Cape Finister, only with this difference, that there will, as heretofore want above 300 Sail of Ships & other Vessels to carry off the Annual Produce of Carolina, and many such Vessels going there, from New England & other parts in North America, & the West Indies to get freight, when otherwise they would lay

lay many months by the Walls, & have their Bottoms Eate out by the Worms, and being known by Experience, that there is but a small part of that number which goes directly from Great Britain to Carolina it will therefore be a great Advantage to the Trade & Navigation of Great Britain, as well as to the Planters & Merchants trading to Carolina, that those Ships & Vessels going from the American Colonys may have the like Liberty to Load & carry Rice directly from Carolina to any of the sd Foreign Markets, as well as those that go from Great Britain for that purpose; And it being conceived not to Answer any purpose for the British Trade or his Majestys Revenue, to take out any Licence for foreign Markets, it will be a further encouragement & Ease to the sd Trade, not to oblige the owner or Master of such Ship or Vessel to take out Licence either in Great Britain or Carolina. Yet the Master of such Ship or Vessel to declare upon Oath before the Collector in Carolina, to what foreign Port he intends to load & carry such Rice, & to be enjoyned also to enter into Bond with good Security at either of those places for payment of the Kings Duty, & doing all other matters & things which are provided for in the said Act, for carrying Rice to the Southward of Cape Finister

It

It is computed that the Merchant or Owner of such Rice as is intended for Holland, is Obliged to pay for Extraordinary Freight & other Charges, above 2/ Sterling ℔ Ton if the Ship goes to Cowes or any other Port in the Channel, and near 3/ if she goes to London More than if he was permitted to send it directly from Carolina to Holland; whereas if he had such free Permission, there would be a saving of so much to the Merchant, And would not fail of Advancing the Price of Price of Rice to the Planter, of at least one Shilling Sterling ℔ Hundred Weight, which would Enable him in some Measure to purchase Cloathing &c for his family And would encourage the continuance of that branch of Trade & Navigation of Great Britain Therefore for the several Reasons before mentioned, it is Humbly Hoped that free Liberty will be given for any Ship a Vessel belonging to any of His Majesty's Subjects, to carry Rice directly from Carolina to Holland, or any other Foreign Port or Place in Europe, without being at the expence of taking out such Licence as before mention-ed; Yet to be under such other Regulations as shall be thought necessary.

And Whereas South Carolina is the only Colony & place within His Majesty's Dominions which produces

Rice

Rice to perfection for the British & foreign Markets, And is still Capable (tho' at a great expence & hard Labour of Negroes) of making & Exporting annually a far greater Quantity than they have hitherto done, provided they were also permitted (in the aforesaid manner) to send it to any foreign Part or Place in America; which would increase the Consumption, & by so much would be an Addition of the Advantages to the Nation before mentioned, as well as to the benefit & encouragement of the sd Colony; And would not fail of Producing Gold & Silver in Exchange for that Commodity which always centers in Great Britain. And as Rice is a Commodity which no way interferes with the Produce & Manufactures of Great Britain; And very little of it use or expended in any part of His Majesty's Dominions, and no way conceived that it is necessary to be continued amongst the Enumerated Commoditys (of the Produce of His Majesty's Colonys which are obliged to be carried & Landed in Great Britain) now laid under greater incumbrances & hardships than any other Grain Fish &c which is exported to Foreign Parts from the sd Colonys; Especially as Rice is Perishable & bulky; and become of so little Value in all places where it is known to vend it, As not now to pay the high Freight, Insurance, Duty & other

other Charges; for these Reasons therefore its also Humbly hoped, that the beforementioned Liberty's, will also be granted to Export Rice from Carolina, directly to any foreign Port or Place in America, the same to be under such Security's and Regulations, as shall be thought proper in regard to the Kings Duty, and the Acts of Navigation.

Jnº Fenwicke
of the Council of Carolina

Peregrine Fury Agent
21st Novr 1746

Recd
Read } Novr ye 21st 1746

B P R O. Journals B T Vol 34

Whitehall January 29th 1746

At a Meeting of His Majestys Commissrs for Trade & Plantations

Present

Lord Monson

Colo Bladen Mr Budenell Mr Plumer

Mr Pitt, Mr Leveson Gower

* * * * * * *

The Board took into Consideration an Extract of the Petition from the Governor, Council & Assembly of the Province of South Carolina to His Majesty, referred to this Board by His Grace the Duke of Newcastle's Letter as mentioned in the Minutes of the 17th Sept last, and after some time spent therein, previous to any Resolution, agreed to have some Discourse with Colo Tenwicke & Mr Twye, and accordingly the Secretary was ordered to desire their Attendance at the Board on Wednesday morning next.

* * * * * * *

5th Febuary 1746

Colo Tenwicke of the Council of South Carolina & Mr Twye, Agent for the Province attending as desired, the Board had some Discourse with him on the Subject of the Paper delivered in by Mr Twye & read the 21st of

Nov

Nov.r last, Entituled "Reasons humbly offered for granting Liberty to Export Rice directly from South Carolina to any foreign Port or Place in Europe & America without being first brought to Great Britain" after which the further Consideration of the Affair was postponed to another Opportunity, when the Gentlemen were desired to lay before the Board, the Nature of the Relief they expected, without intermixing their Reasonings therewith, which they promised to do, as soon as they could conveniently.

* * * * * * * *

11th March 1746

Read a Letter to the Secretary from Mr Fury, Agent for South Carolina, dated the 6th Instant, inclosing Reasons offered and signed by him for the Liberty of exporting Rice from South Carolina, which Reasons were likewise read and taken into Consideration by the Board.

* * * * * * * *

18th March 1746

The Board took into Consideration the Letter from Mr Fury mentioned in the Minutes of the 11th instant, inclosing Reasons offered & signed by him in support of the Petition of the Legislature of South Carolina, praying

a

a Liberty to carry Rice to any foreign Ports, & ordered that a Copy of the said Reasons be sent to Mr Hood, Secretary to the Commissrs of the Customs, for their Opinion what effect the same may have upon ye said Customs.

+ + + + + + + +

1st May 1746

Read a Letter from Mr Glen Governor of South Carolina dated the 11th of Febry 1745, giving some Account of the present State of that Province, & of the good Friendship subsisting betwixt them and their neighbouring Indians.

+ + + + + + + +

6th May 1746

Upon Application from Mr Thomas Smith, Deputy Auditor of the Plantations, for Copies of such Parts of His Majesty's Instructions to His Governors of South and North Carolina, as relate to Grants of Land, & the Payment of the Quit Rents in those Provinces, the Board ordered that Copies of such Parts of the said Instructions as relate thereto, should be accordingly prepared.

+ + + + + + +

7th May 1746

The Draught of a Letter to Mr Glen Governor of South Carolina was likewise laid before the Board & agreed to

to be reconsidered tomorrow.

* * * * * * * * *

8th May 1746

The Draught of a Letter to Mr Glen, mentiond in Yesterday's Minutes, having been reconsidered, was agreed to & ordered to be transcribed.

* * * * * * * * *

9th May 1746

The Draught of a Letter to Mr Glen Governor of South Carolina, agreed to by the Minutes of Yesterday, was laid before the Board and signed.

* * * * * * *

13th May 1746

Read a Letter from Joseph Kragg Esqr One of the Council of South Carolina, dated at Charles Town the 7th of Feby last signifying his Inability to attend the Business of the Council, & desiring to resign his Seat at that Board, & that their Lordships would recommend to His Majesty some other Gentleman to succeed him.

Ordered that the Draught of a Representation to his Majesty be prepared, proposing Alexander Vanderdussen Esqr to supply the Vacancy made in the Council of South Carolina, by the Resignation of the said Joseph Kragg Esqr

* * * * * * *

14th May 1706

The Draught of a Representation to his Majesty recommending Alex. Vanderdussen Esq. to be of the Council in South Carolina, ordered by a Minute of Yesterday, was laid before the Board & Signed.

* * * * * * *

12th June 1706

The Secretary laid before the Board the fourteen following Orders of Council, lately transmitted from the Council Office, & the Titles thereof were read. Viz.t

* * * * * * * *

Copy of an Order of Council, dated the 28th of May 1706, approving a Representation of this Board to his Majesty, proposing Alexander Vanderdussen Esq. to supply a Vacancy in the Council of South Carolina, by the Resignation of Joseph Wragg Esq. on Account of his ill state of health.

* * * * * * * *

24th June 1706

Read a Letter from Mr Wood Secretary to the Customs, dated June 19th 1706, in answer to one from the Secretary of this Board, in which the Opinion of the Commissr. of the Customs was desired, upon a

Memorial

Memorial presented by Mrs Tunge & Fenwicke, in support of the Petition of the Legislature of South Carolina to His Majesty, for Liberty of exporting Rice directly to any foreign Ports.

+ + + + + + +

9th December 1746

Read an Order of the Lords of the committee of Council dated the 2d of Decr 1746, referring to this Board the Petition of Mr Thomas Lowndes to His Majesty, relating to a Grant of Twelve Thousand Acres of Land in South Carolina made to him the 25th of Octr 1726.

+ + + + + + +

16th December 1746

Read three Letters from Mr Glen, Governor of South Carolina, to the Board, the first dated at Saludy May 2d 1746, containing an Account of the several Nations of Indians bordering upon that Province & of his undertaking a Progress amongst them; the 2d dated at Charles Town Septr 29th 1746, containing a further Account of the Indian Nations and his Interview with them; the 3d dated Octobr 4th 1746, relating to the state of his Majestys Council of that Province, & the Necessity of having a Ship stationed there for the Protection thereof.

Ordered

Ordered that the Secretary write to Mr Colleton, Mr Senwick & Mr Hammerton, to attend this Board on Thursday next, in order to have some Discourse with them on that part of the Governor's third Letter, which takes notice of their absence; And that the Secretary transmit so much of the same Letter, as relates to the Danger the Province is in, for want of a station'd Ship to protect their Trade, to the Secretary of the Admiralty in order that the same may be laid before that Board.

* * * * * * * *

17th December 1701

Read a Letter from Colo Senwicke, One of the Council of South Carolina to the Secretary in answer to one from him, mentioned in yesterdays Minutes, signifying that he is not able by reason of an Indisposition to attend the Board on Thursday, but will wait upon them as soon as he is able — Ordered that the Secretary write to him again to acquaint the Board whether he has any Intention of returning to the Province & how soon.

* * * * * * * *

18th December 1701

Mr Hammerton, one of the Council of South Carolina

Carolina, attending as desired, the Board had some Discourse with him on the Subject of Mr Glen the Governor's Letter mentioned in the Minutes of Tuesday last, when he informed the Board that he intended to return to Carolina in about two Months: At the same time he acquainted the Board, that Mr Colleton who likewise was wrote to, to attend on the same Subject, was in the Country, Upon which the Secretary was ordered to write thither to him & desire he would acquaint the Board with his Intentions as to his returning to South Carolina.

23d December 1746

Read a Letter from Mr Jennicke, dated Dec 22d 1746 (in answer to one wrote to him by the Secretary the 17th inst) signifying his Desire of resigning his Seat in the Council of South Carolina, and recommending his Son to succeed him therein.

B.P.R.O. S. Carolina B.T. Vol. 14 N. 82.

Charles town S. Carolina
7 Febry 1745/6

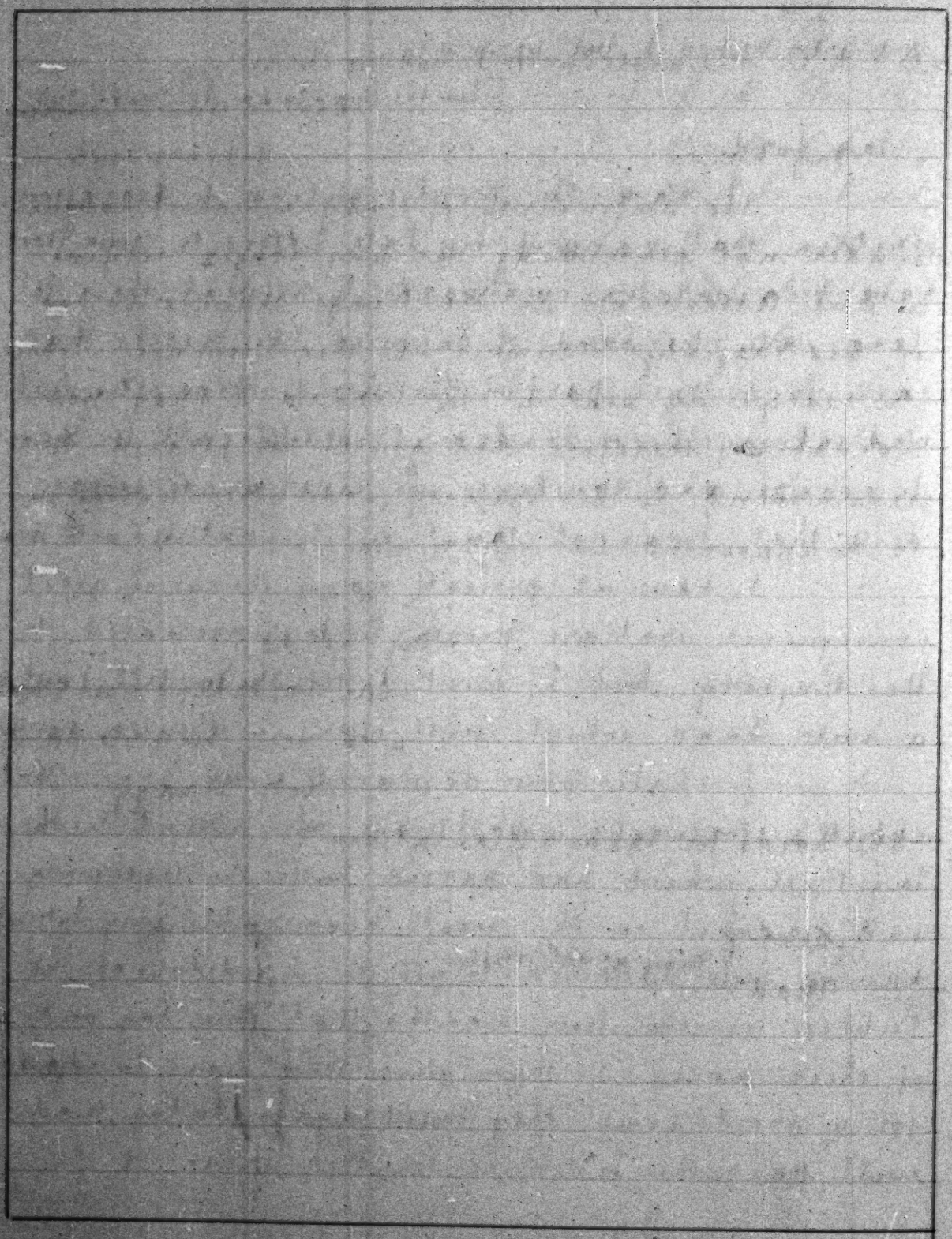
My Lords

The Infirmity of Body which I labour under not permitting me any longer to give a due Attendance to the Kings Service as one of His Majesty's Council in this Province, I chuse to resign my seat at the Board I pray your Lordships therefore that you'll be pleased to recommend to His Majesty some other Gentleman to be appointed in my room

I am
My Lords
your Lordships most Obedt
and very humble Servt
Jos. Wragg

The Lords for Trade & Plantations.

Recd
Read } May 9th 13th 1746



B.P.R.O. a + N.S. Vol. 19 p. 237.

(South Carolina Febry 11th 1745/6)

My Lord,

I have the Mortification to hear from Britain that many of my late Letters to Your Grace have been thrown overboard, to prevent their fal-ling into the hands of Enemies. The vessels that sail from this part of the world being often foul and always deep loaden it is difficult for them to escape, and sometimes the Masters are so care-less that I cannot trust my Dispatches with them.

I have at present many things of great consequence that are proper to be represented to His Majesty, but I must defer them till I get a sure hand which will offer in about a month.

I shall now acquaint your Grace that about a fortnight ago I gave my assent to the Tax Bill, which had passed both the Assembly and Council in the most honourable way, Interest having been allowed to all the Creditors of the Public for the few months that they lay out of their money. I then gave them leave to adjourn for a short time, they meet again today, and will pass the Tax Bill for the Service of the

Current

current year, with the same Cheerfulness.

Before they broke up Col. Vanderdussen arrived with the other two Captains and Officers and some of the Private men, belonging to the 3 Independent Companys, upon which I sent a Message to the Assembly, desiring that they would fulfil their Engagements and Promises, with regard to these Troops, they immediately came to an unanimous Resolution to make a Provision for the additional pay to the Officers and Soldiers, and likewise for building Barracks for their Reception.

Some months ago I went to Port Royal to visit the Southern parts of this Province, to examine into the Condition of Fort Frederick to survey the Harbour, and review the Militia, the Heat was then excessive, and by being so much exposed to the Sun and with the fatigue I was seized with a violent Fever, I have since been at Winyaw, and the most Northern parts of the Province, and as I was the first Governour that had ever been in that part of the Country, my visit gave great satisfaction to the People. They are in a very thriving way, being for Trade the second Port in the Province, They are

building

building a handsome brick Church, the walls of which are a good way raised, Such Companys as I reviewd were very well armed, and made a good appearance The Regiment is said to consist of Thirteen hundred White men, but by the Collonels return to me it does not much exceed a Thousand, however he promised to be more exact against my next Review.

While I was in these parts I went many miles up Waggamaw River, and crossed over and came down by Pedee & Black Rivers, calling at several Plantations to see what improvements were made.

Some of the Planters who live far up Pedee River are guilty of great Irregularities, and cannot easily be brought to Justice, alledging that they are in the Province of North Carolina, altho' they are evidently within this Province, being Sixty or Eighty miles from Cape Fear River: And by my Instructions from His Majesty, A line thirty miles to the Southward of that River, and running parralel with the Courre of it, to the Head of it and then observing a West Course is the Boundary betwixt the two Provinces; I have written to the Governour of North Carolina upon this Subject.

Some time ago I set out for Orangeburgh,

Emelia

Caelia, Sax Gotha and Fredericksburgh, four of our new Townships, but after I had proceeded forty or fifty miles, I was taken ill and forced to return. Those Townships are settled chiefly with German Protestants, who begin now to thrive, tho' I wish they had been more early the object of our care; but as they lie, some of them a hundred & twenty miles off, and as it will require two or three days at each place, to be of any Service to them, that Journey will take a months time, a space that the Governours of this Province can ill spare, however I shall certainly visit them this Spring.

These Reviews and Journeys are entirely new in this Province, they are however absolutely necessary. But I must observe to your Grace that they are very expensive, since all the Officers and Gentlemen are treated at the Governour's expence. I do not say this to found any future claim either upon the Crown or this Country, but I humbly hope Your Grace will do me the justice and favour to represent to His Majesty that I neither spare trouble nor Expence, when I can promote his Majesty's Service.

I have fully informed Your Grace of every-

thing

thing concerning the Indians, in the letter which I shall have an Opportunity of sending a month hence. In the mean time I can with pleasure assure your Grace, that at no period of time, since the first Settlement of this Province, have we ever been so well with them all as at present. In a former letter I acquainted Your Grace that the Emperor of the Cherokees together with a hundred and twenty of his Head men had been here, and at the same time the King of the Catawbas with Eighteen of his Head Men, the Province made them considerable Presents, and Entertained most of the principal People at my House and made them presents at my own private expense, and sent them home so well pleased that I have received thanks from all the Indian Traders: I have ever since continued to cultivate a friendship with them, all their differences and disputes are constantly referred to me, and to express their regard for me, they have lately at one of their General meetings come to a Resolution of altering my Title which has hitherto been that of Brother the constant appellation of the Governours of Carolina

olina. I am now called Father, and have received Letters from them with that Title

I am with greatest Respect
My Lord
Your Graces
Most obedient and
Most humble Servant
James Glen

My Lord

since I finished my letter the Council and Assembly of this Province have desired me to transmit to Your Grace their Address of thanks to be presented to His Majesty for having been graciously pleased to send three Independt Companys for our Defence and I have sent the same by this conveyance

I am with the greatest respect
March 25th 1746 My Lord
Your Graces
To His Grace most obedient & most humble
the Duke of Newcastle Servant
James Glen

(a similar letter sent to Lords of Trade.)

B.P.R.O. S.Carolina B.T. vol 14. N. 80.

Great Pulteney Street
near Golden Square
4th March 1745/6.

Sir,

The enclosed paper should have been signed by Col. Fenwick, but having been many days confined to my chamber, I had no opportunity of seeing him I now hear he is gone to Bath; and has left it to take its Fate. Nevertheless I hope the Plan proposed will be looket upon to be at least as much his as mine.

I am
Sir
your most Obedt humble Servt
Pereg.ne Fawke

Recd March 4th
Read Do 11th } 1745/6.

(Enclosure)

(Enclosure.)

To the Right Honble the Lords Commrs for Trade & Plantations.

We hope the Reasons in writing which we have laid before Your Lordships will sufficiently shew Your Lordships how much the Trade and People of the Province of South Carolina stand in need of having Liberty granted to Export their Rice according to the Prayer of their Petition to His Majesty, and now in obedience to Your Lordships Commands we beg leave to lay before Your Lordships in a more particular manner what is humbly desired to be done in regard to that Liberty

That any ship or vessel belonging to any of His Majesty's Subjects of which the major part shall be residing in Great Britain, and the residue shall be residing either in Great Britain or in some of His Majesty's Colonys in America, and Navigated according to Law, and that shall arrive in any port of Entry in the said Province may have Liberty to Load with Rice and carry the same directly to any Foreign Port or Place in Europe without first touching at or landing the same in Great Britain

or

or elsewhere in his Majestys Dominions; the Master of such Ship or Vessel (before he takes Rice or any other Goods aboard) shall make a proper Declaration in Writing upon Oath before the Collector or other proper Officer of the Customs, that the Rice he intends to load is to be carryd directly to some Foreign Port or Place in Europe, and shall at the same time enter into Bond in Carolina to the use of his Majesty with one or more sufficient Sureties in the sum of £1000 Sterl^{g} If the Vessel is 100 Tons or under, and £2000 If she is above 100 Tons.

That no Tobacco, Sugars, or other Enumerated Commoditys (except Rice) of the Growth, Production, or Manufacture of any of the British Plantations in America shall be loaden or taken on board such Ship or Vessel in Carolina, or any other of his Majestys Plantations in America, unless it be for necessary Provisions of the Ship for their Voyage And that such Ship or Vessel shall proceed directly with all the Rice which shall be so loaden on board such Ship to some Foreign Port in Europe, and there land the said Rice; and that such Ship after landing the said Rice, shall proceed for Great Britain before the return to America and the Master or other person to produce

a/

a proper Certificate in some reasonable time of having loaded and discharged the said Rice so taken aboard at such Foreign Port; the Certificate to be under the hand and Seal of the British Consul, or Minister, or two British Merchants where there is no Minister residing in such Port; Certifying also that they verily believe that no Tobacco, Sugars or other Enumerated Commoditys (Except Rice) have been landed out of such Ship or Vessel on failure of any of these the said Bond shall be forfeited to his Majesty &c. And in order to ascertain the true quantity of Rice exported from Carolina in such Ship or Vessel having the aforesaid Liberty; the Master or person exporting and shipping the same shall make such Entrys thereof in writing with the Collector and other Officers of the Customs in Carolina. And shall there do all other matters and things necessary and proper to be done for taking out of Cocquets or Certificates of such entrys in like manner as are directed to be done in Great Britain by the Act of Parliament now in force, for Granting Liberty to carry Rice directly from Carolina to the Southward of Cape Finister, And shall also be liable to the like Penaltys and Forfeitures mentioned in said Act, for any Fraud being

being committed in Weighing or Shipping such Rice. The Collector also in like manner to transmit Copys of said Cocquets to the Commrs of the Customs for recovering the King's Dutys. And whereas it is Evident That the ships cleared out from Great Britain to Carolina are by no means sufficient to carry off the produce, It is therefore humbly proposed. That the manner of taking out Licences be altered Viz. that instead of the Licence being taken out as now practised by the Master or Owner of a Particular Ship or Vessel Licences shall hereafter be taken out by the Factor or Agent residing in Great Britain for such a Quantity of Rice as he thinks shall be shipped by his Correspondent in Carolina for the Season the Factor or Agent giving Bond to pay duty's &c for the Quantity set forth in the Licence according as the same shall be shipp'd. this will greatly relieve the Trade for as casual Ships come for freight to Carolina the Merchants there may employ them as the Markett shall offer in Europe, and at the same time the duty's be payable by the Factor residing in Great Britain, upon Certificates being produced of its being landed.—

We also humbly hope that we have given reasons

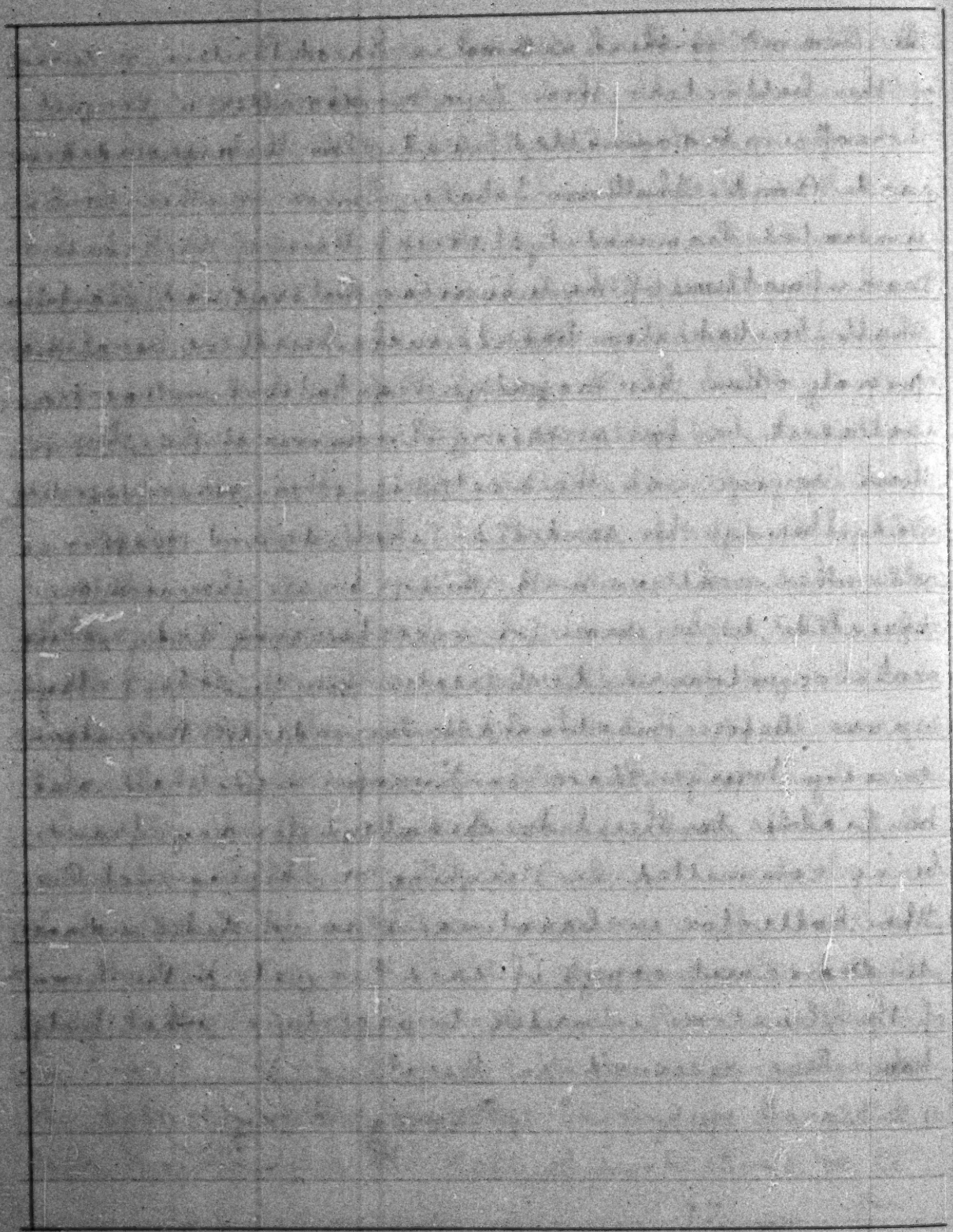
reasons to Induce your Lordps to be of Opinion to allow of Rice being carryed like other Provisions (viz) Corn, Beef and Pork directly to any Foreign place in America, Accordingly it is humbly desired that any Vessel not exceeding 60 Tons burden, wholly owned by any of His Majesty's Subjects residing in Great Britain or America, and Navigated according to Law may not be debar'd nor made liable to any Penalty for carrying Rice directly from Carolina to any of the Dutch Settlements or other Foreign Ports or Places in America. The Master of such Vessel before he takes any Rice or other Goods on board, to make a proper Declaration in Writing upon Oath before the Collector or other proper Officer of the Customs, that the Rice he intends to load is to be carryed directly to some Foreign place or places in America where he can best vend his Cargo; And shall at the same time enter into Bond in Carolina to the use of his Majesty with one or more sufficient Sureties in the sum of £1000 Ster. for payment of the usual Duty to His Majesty for all such Rice as is ship'd on board, which payment to be made either to the Collector of his Majestys Customs in Carolina four Months after the date of such Bond or to

the

the Commrs of the Customs in Great Britain, or to any of the Collectors there Two Months after a Cocquet thereof is transmitted; And also to be provided in said Bond. That no Tobacco, Sugar or other the Enumerated Commoditys (except Rice) of the Growth Manufacture of the American Colonys and Plantations shall be taken on board such Vessel in Carolina or any other his Majesty's Plantations in America, unless it be for necessary Provisions of the ship for their Voyage, and the Master or other person exporting and Shiping the said Rice shall do and perform all other matters and things as are hereinbefore directed to be done for ascertaining and making out Cocquets and Certificates of such like Entrys as are before mentioned to be made for Rice exported to any Foreign Place in Europe and shall also be liable to the like penaltys for any fraud being committed in Weighing or Shiping such Rice The Collector in Carolina also in like manner to transmit copys of said Cocquets to the Commrs of the Customs in order to ascertain what Duty's have been received in Carolina

4th March 1745/6.

Pereg. Fwrye.



B.P.R.O. So. Carolina B.T. Vol. 27. p. 104.

(Mar. 19. 1745/6.)

To Wm Wood Esqr Secry to the Commrs of His Majtys Customs.

Sir,

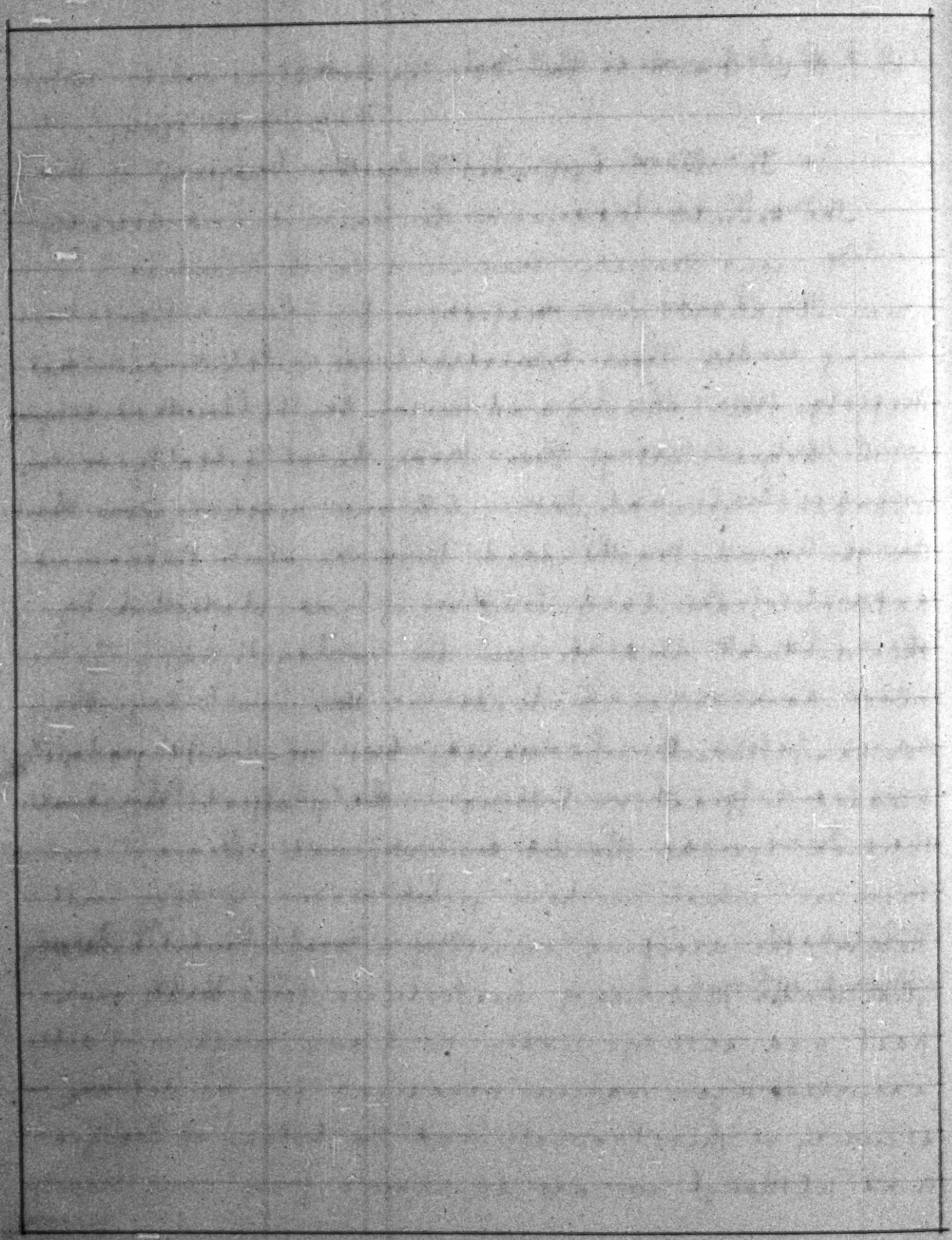
My Lords Commissioners for Trade & Plantations having under their Consideration a Petition to His Majesty from the Legislature of South Carolina praying for liberty to carry Rice from thence directly to any foreign Parts, and having likewise received from Mr Fenye Agent for the said Province some Reasons in support of the said Petition. I am directed by their Lordps to send you the inclosed Copy of the said Reasons, and to desire you will lay the same before the Commissioners of His Majesty's Customs for their Opinion what Effect the same may have upon the said Customs. I am

Sir

Your most humble Servt

J. Hill

Whitehall
March 19th 1745/6.



B.P.R.O. A & W.I. Vol. 629. in Govr Glen's of Feb 11th 1745/6
(22 Mar. 1745/6)?

To the Kings most Excellent Majesty
The Humble Address of the Council and Assembly
of your Majesty's Province of South Carolina

May it please your Majesty

We your Majesty's most dutiful and loyal Subjects the Council and Assembly of South Carolina, with hearts full of Gratitude, humbly beg leave to approach your Majesty with our most sincere thanks for the many instances of your Royal Favour and paternal care in giving relief and protection to this distant and defenceless Colony, and in a more particular manner for the three independent Companys which your Majesty has been most graciously pleased to grant, according to the prayer of our humble Petition, for the further security and defence of this Province, which we have great reason to hope will revive the drooping spirits of a people who have struggled under a series of misfortunes for several years past, and still lye under the heavy burthen of debts incurred upon various occasions for the defence and security of this Province and the Colony of Georgia. And although we are so remote from your Majesty's person

person yet as we are warmed with a just sense of the blessings we enjoy under the happy influence of your Majestys vigilant and wise administration permit us dread Sovereign to join in the general voice of our fellow Subjects in expressing our loyalty zeal and Affection for your majesty and our most sincere wishes for the prosperity of your illustrious royal Family on which depend our welfare our liberty and our happiness

In the Commons House of
Assembly the 21 Day of March 1745
By Order of the House
Wm Bull junr Speaker

In the Upper House of Assembly
the 22 day of March 1745
By order of the House
Eam.t Atkin President.

Seal
of
the Province

B.P.R.O. A+W.I. bol. 19 p. 244.

(Saturday May 3d 1746.)

My Lord

I informed Your Grace some time ago, that I had been careful to cultivate a good understanding with all the Nations of Indians surrounding this Government agreeable to His Majesty's Instructions to me, & particularly with the Cherokees and Creekes, the most numerous and powerful of them, and that at no period of time, we ever stood better with them all, than We then did, and that they had altered my Title from Brother, the usual Appellation of the Governors of South Carolina, to that of Father. This was a faithful Account of things as they then stood, but as the face of Affairs seems now to be altered, it is my Duty to acquaint His Majesty with their present situation, which I shall do in this Letter with the greatest submission and with the greatest Truth.

I have lately received Dispatches from most of our Traders that are settled amongst the Indians, expressing their Apprehensions of the Danger to which their lives and propertys are exposed, now

from the influence which the French are endeavouring to have amongst them.

I have at the same time Letters written by the Directions of the Emperor of the Cherrokees and the Head men of that Nation, to let me know that twenty two French Indians and two French men as Ambassadors or Agents, were arrived there, that they brought proposals of Peace and Commerce to be concluded betwixt the French and Cherrokees, and demanded liberty to build a small Town or Fort amongst them, but as the Indians are slow in their Resolutions, they have taken time to think of it, and have promised to send an answer by some of their own People, The French said, at their departure that they with many more of their Country men would be back next Winter or early in the Spring.

My accounts from the Creeks are still more disagreeable. The French have had for many years past a Fort in that Nation called the Halbama Fort, this has given them a footing amongst those People and has emboldened them to demand of the Indians that they would drive away the English Traders from amongst them, and they have not

scrupled

scrupled to desire them to put them to Death,
and tho' they have refused to gratify them in
their request, yet, at their instigation, they have
ventured to attack the Euchees, a small tribe of Indians
settled in this Province and under our Protection
they have killed six of them, and carryed many
others into slavery, some of the Chickasaws, have
likewise by the same influence travelled across
this Province and attacked a Party of the Catawba
Indians, several were killed on each side and
some 100 Women and Children are carry'd off.
The Catawbas are a very brave nation and intire
ly attached to this Government. I received a letter
about a month ago from the King, acquainting
me that he had been much sollicited all last
Winter to joyn with some other Indians and the
French in a War against the English, but he
had told them that He would never leave us, and
that he would be always ready at a call, should
we need his Assistance, this Declaration he thinks
is the Reason that he is so harrass'd with Enemies
on all sides.

Altho' I have no reason to fear that the
French Intrigues should in two or three months
time

time ruin what I have been two or three years rearing up. I mean a firm friendship with the Indians, yet as an Indian War would prove certain ruin to this Province, I thought it best to shew the Indians how attentive I was to everything relating to them, and that I was determined to withstand the beginnings of Evil and to crush it in the Bud: I was apprehensive should I send for them to Charles Town, that none but such as were well affected to the English Interest would come, this would leave the Friends to the French in possession of the Country, which might prove of bad consequence, besides when they come hither, it is difficult to know their real Sentiments for they sometimes speak what they think will be most agreeable, I thought therefore, it might be of great service, to have an interview with them near their several Countrys, and accordingly I sent to the King of the Catawbas to meet me with some of his principal people, at a place about 130 miles from Charles Town, In like manner I sent to the Emperor of the Cherrokees to meet me 220 miles from Charles Town, after which I proposed to cross the Country and to meet the Creeks at

a

a place, about 160 Miles from Charles Town, and the Chickasaws there also.

The General Assembly voted pay for two hundred Horsemen, for this expedition viz two and two pence Sterling p diem for each man. I assigned them Officers and formed them into a Regiment and with them I set out on the twenty first of last month; About forty or fifty Gentlemen are with me as Volunteers, so that with their servants who are all well armed we have a greater body than has ever been seen in this part of the world at once, this I am hopefull may have a good effect, and encourage our friends to stand firm and intimidate our enemys since they will see that we can on such short notice bring so considerable a strength to their very doors.

For the success of this affair I cannot be answerable but if my conduct shall in anything appear blameable I deserve to forfeit His Majesty's favour and to be removed from my Government with Infamy.

The King of the Catawbas met me at the place appointed with one hundred of his Chief warriors and made an offer to attend me with his People

the

the whole Circuit, But as he is so beset with enemies I thought it might prove of Dangerous consequence to carry off so many of his Principal People I had prevented him from taking a revenge of the Chickasaws for killing his men, well knowing that it is the French Policy to set our Indians together by the ears that they may weaken one another, and so become an Easier prey to their Indians. I therefore told him that I wanted to reconcile the Chickesaws & them and to make them friends, which he entirely left to me to manage.

It has rained incessantly for several days and as such weather is little expected here at this season of the year, And as we had no time to provide Necessarys for such an undertaking, few of our people have tents but make a sort of shade every night of the bark of trees and lye on the wett earth this has occasioned some fluxes and fevers. The Public made no provision for a Physician, however I brought one with a Chest of Medicines, and pay him myself.

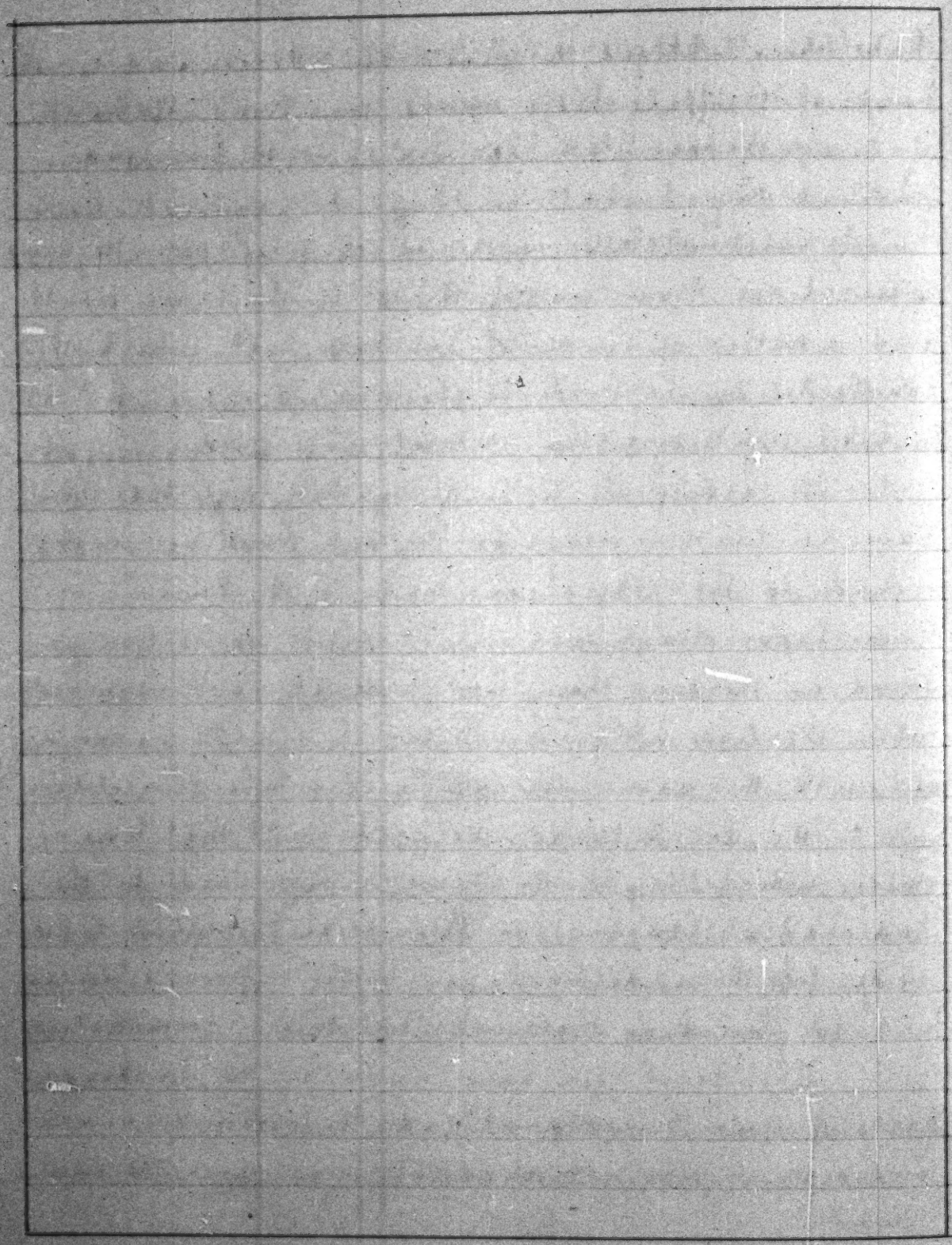
The River at this place is exceeding high and there being neither bridge nor boat we

have

have been obliged to swim our Horses, and to make boats of Buffalo hides, sowed together with bark of trees, to carry over our ammunition and provisions dry I shall continue to acquaint Your Grace with all occurrences every opportunity and am

My Lord
Your Grace's
Most Obedient and
Most humble Servant
James Glen.

So Carolina
Saturday May 3rd
1746.



B.P.R.O. S. Carolina B.T. Vol. 27. p. 105.

(May 9th 1746.)

To James Glen Esqr. Govr. of South Carolina.

Sir

Since our letter of the 27th of June 1745, We have received one from you, of the 4th of the same Month and another of the 11th of February last, which We conclude, by the Contents, to come from you, tho' neither that nor the Duplicate is signed.

We are glad to find by this last that you have no further occasion for our Opinion with regard to the Objections made by the Council of Your Province against the Tax Bill since you inform us therein that they have at last concurred with the Assembly in passing it, & will again do it with the same Chearfulness for the Current Year.

We are likewise pleased with that Unanimity which they have shewn with regard to the Independent Company in their joint Resolution to provide for the additional pay to the Officers & Soldiers and for building Barracks for their Accomodation.

The visit you have made to the Southern parts of your Government and to four of your new Townships, is very commendable, and your Account

of

of it Satisfactory, and if you have been able to finish as you intended your progress this Spring We shall expect in a little time to be thoroughly informed of everything relating to the state and condition of the Province; In the mean time it is a Pleasure to Us to hear that you are upon so good Terms with your Indian Neighbours, and as you say, the Province was never so well with them all since the first Settlement as at present. We doubt not but you will continue to take the proper methods to cultivate this Mutual friendship & settle it upon a lasting foundation.

We have been informed by a Memorial laid before us by Col. Fenwick as well as by yours of the 4th of June last of the Difficulties the Province labours under from the great Decrease of the Value of Rice, and will readily promote any reasonable Proposition that shall be made for the advantage of the Province; In the mean time We hope, the Experiments you mention concerning Indigo and Oranges, which some of the Planters are trying may prove successful & in time make them amends for their losses.

The Acts which you promised in the same Letter

Letter to transmit to us, with your Remarks thereupon, are not yet come to hand. So we bid you heartily farewell, and are

Your very loving friends
& humble Servants.

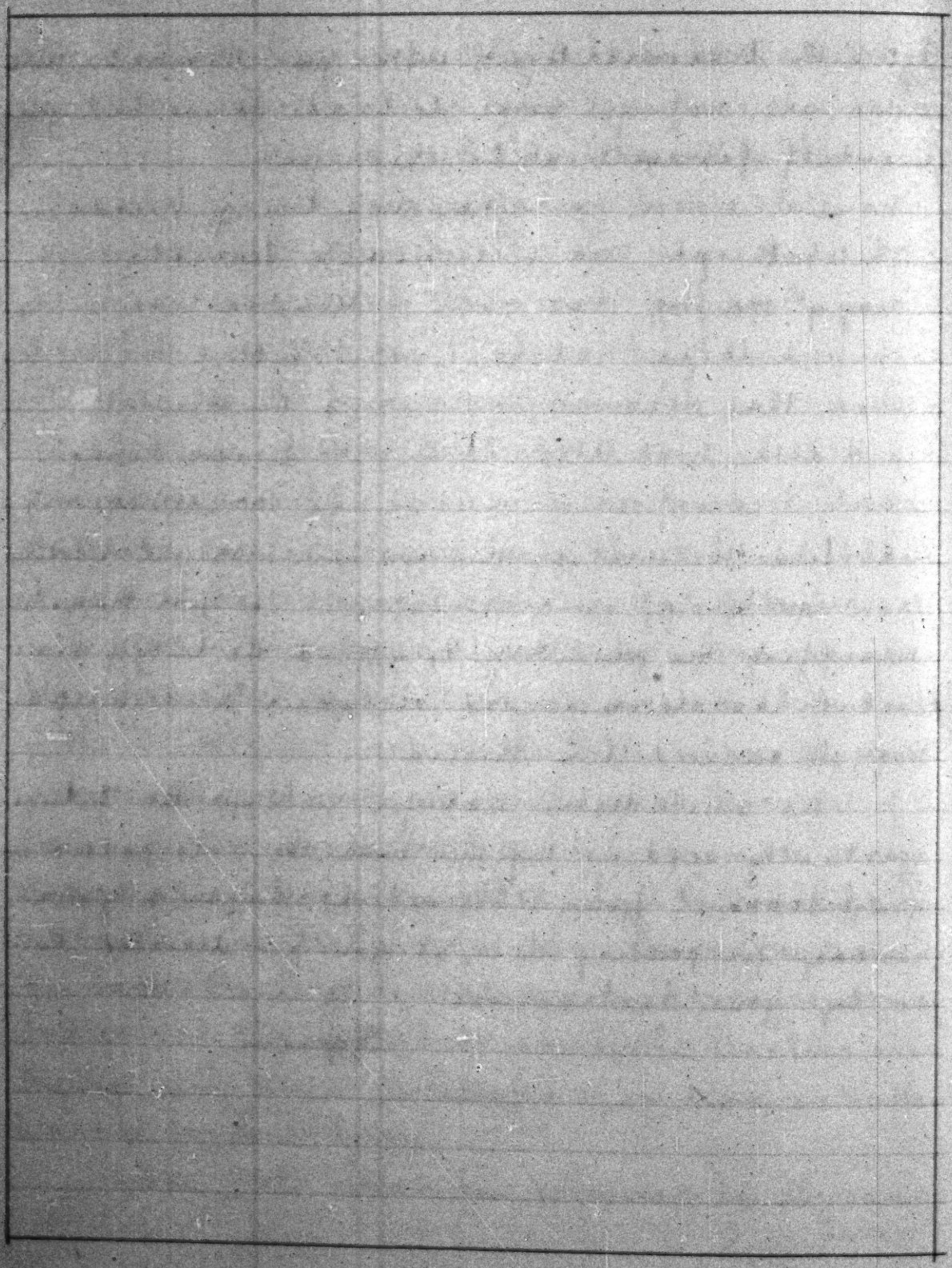
Whitehall
May 9th 1746

Monson
J. Pitt.
R. Plumer.
B. Leveson Gower
Ja. Brudenell.

P.S. Since the writing this we have received a Letter from Mr Wragg, one of the Council in your Province signifying his inability to attend the Duty of his Post, & have recommended Alexander Vanderdussen Esqr to succeed him therein.

We must desire that you will for the future constantly send us, together with the Acts passed in your Governmt your Observations thereon, & your reasons for passing them, as you are directed to do by your Instructions

Monson.



B.P.R.O. So Carolina A.J. Vol. 27. p. 109.

(May 14. 1746.)

To the Kings most Excellt Majesty

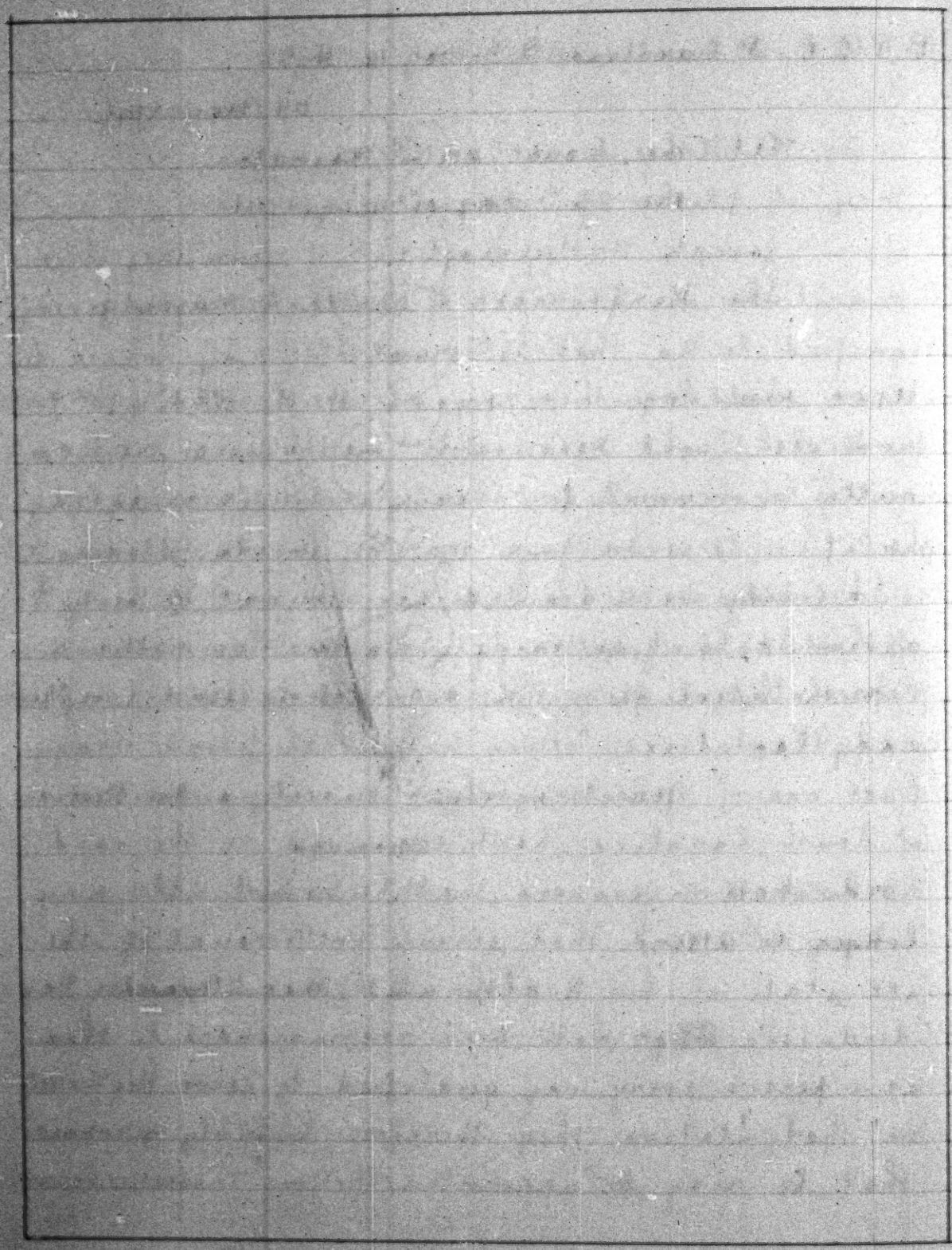
May it please your Majesty.

Joseph Wragg Esqr One of your majesty's Council in the Province of South Carolina having signified to Us, that he is not able any longer to attend that Service on account of the ill State of his Health; and Alexander Vanderdussen Esqr having, been recommended to us as a Person every way qualified to serve your Majesty in that Station, We humbly take Leave to propose that he may be appointed of your Majesty's Council in the Province of South Carolina, in the room of the said Joseph Wragg Esqr

Which is most humbly submitted

Monson.
R. Plumer
J. Pitt
B. Leveson Gower.

Whitehall
May 14th 1746.



B.P.R.O. So Carolina B.T. Vol. 14 H. 83.

(28 May 1746.)

At the Court at Kensington
the 28th day of May 1746.
Present
The Kings most Excellent Majesty
in Council.

Upon reading this day at the Board a Report from the Right Honourable the Lords of the Committee of Council for Plantation Affairs dated the 27th of this Instant in the words following viz.t

"In Obedience to an Order in Council of the 14th "of this Instant referring unto this Committee a "Representation from the Lords Commissioners for Trade "and Plantations, Setting forth, that Joseph Wragg "Esqr one of your Majestys Council in the Province "of South Carolina hath signified to the said "Lords Commissioners that he is not able any "longer to attend that service on Account of the "ill state of his Health and that Alexander Vander-"dussen Esqr hath been recommended to them "as a person every way qualified to serve His Majesty "in that Station, they therefore humbly propose "that he may be appointed of Your Majestys Council "in

"in the Province of South Carolina in the room of "the said Joseph Wragg Esqr. The Lords of the "Committee this day took the said Representation "into their Consideration, and do thereupon agree "to report, that they have no Objection to Your "Majesty's appointing the said Alexander Vanderdussen "Esqr to be of Your Majesty's said Council in the "Province of South Carolina in the room of the "said Joseph Wragg Esqr" —

His Majesty this day took the said Report into His Royal Consideration and was pleased with the Advice of His Privy Council to approve thereof and to order as it is hereby Ordered that the said Alexander Vanderdussen Esqr be constituted and appointed a Member of His Majesty's said Council in the Province of South Carolina in the room of the said Joseph Wragg Esqr — And His Grace the Duke of Newcastle His Majestys Principal Secretary of State is to cause the usual Warrant to be prepared for His Majestys Royal Signature accordingly

A true copy
Wm Sharpe

Recd June 9th } 1746.
Read 14th }

B. P. R. O. S.-Carolina B. T. Vol. 14. H. 84.

(19 June 1746.)

Sir,

Having communicated to the Commissioners your letter of the 19th of March last, inclosing Copy of some reasons laid before the Lords of Trade by Mr. Fury Agent for South Carolina in support of the Petition to His Majesty, praying for Liberty to carry Rice from thence directly to any foreign parts, on which their Lordships desire to have the Opinion of this Board - I am to acquaint you the the Commissioners did in a Report to the Lords of the Treasury of the 6th March 1734 (on a Petition of the Merchants of the like nature) acquaint their Lordships "that though the extending "the Exportation of Rice by carrying the same "directly from Carolina, to the Dutch French and "Spanish Islands, and to the Continent of America "and to the Southward of Cape Vehant might be "some encrease to the Revenue yet as the granting "of what was desired, would require such great "alterations in the Laws relating to Trade and "Plantations, they could not take upon them to "judge how far it might affect the general Trade

"and

and Navigation of the Kingdom'.

I am

Custom House Sir

19th June 1746. Your most humble Servt

Thomas Hill Esqr. Wm Wood.

Recd June 20th
Read Do. 24th } 1746.

B. P. R. O. So Carolina B. T. Vol. 14. N. 93.

(1 Sept. 1746.)

May it Please Your Lordships

I herewith by the Tartar Man of War transmit Duplicates of my 5th half yearly Reports, also my sixth Reports ending the 30th of April 1746 having then executed the office of Surveyor General of Lands, Inspector and Controller of His Majesties Quit Rents for the space of three years during which time with each Report I informed Your Honours that the Emoluments of the Surv: Genls office were so insignificant as not to defray the Expence of House Rent & Stationary Ware, that my Sallary was not paid by Mr Saxby, He refusing to do it without an Order from the Right Honble the Lords of the Treasury which I prayed Your Lordships to Interpose your Good Offices to procure from them and to be continued in said Offices, as held by my Predecessor, But have not been honoured with a Line from your Lordships; The same Request I would renew, and have sent herewith an attested Copy of my Petition to His Excellency & Council with the Resolution of that Honble Board Whereupon His Excellency Recommended me accordingly

165

-cordingly to their Lordships of the Treasury to have my arrears paid by an order from their Honours on Sd Mr Saxby Recr Genl, and to be by them confirmed in said Offices as a person qualified to execute the same. Which if approved of by Your Lordships I shall esteem it an Honour conferred on Your Lordships

Most Obedient &
Most Humble Servt
George Hunter.

Charles Town
Sepr 1. 1746

Recd Decr 9th 1746
Read Jan. 9th 1746/7.

(Enclosure.)

(Enclosure. H. 94.)

To His Excellency James Glen Esqr Captain General Governor and Commander in Chief in and over His Majestys Province of South Carolina, And to the Honourable The Members of His Majesty's Council for the same.

The Petition of George Hunter Surveyor General of His Majesty's Lands & Inspector & Controller of His Majestys Quit Rents & other Rents in this Province.

Sheweth.

That your Petitioner upon the Death of James St John Gent late Surveyor General of His Majesty's Lands & Inspector & Controller of His Majestys Quit Rents & other Rents was appointed into the said office by the Honourable William Bull Esqr Lieutenant Governor by a Commission under his Hand & Seal of this Province dated the twenty ninth day of April 1743. In which Commission is recited a Paragraph of Mr St John's Commission viz: "And for the encouragement of the said James St John to execute "the said offices we did Give and Grant unto him "the Sallary of One hundred Pounds ₱ Annum Proclamation Money to be received by him from time to "time

time Quarterly during our pleasure out of our said Quit Rents & Revenues by the hands of the Receiver General thereof for the time being, as in and by our said in part recited Warrant or Commission Relation being thereunto had may more fully & at large appear:

That Your Petitioner by his Commission aforesaid was nominated & appointed To Have, Hold, Exercise & Enjoy as well the said office of Surveyor General as the said office of Inspector & Controller as fully and absolutely to all Intents & purposes whatsoever as the said James St. John in his life-time or any other Surveyor & Inspector & Controller heretofore hath done or might or could have done Together with full Power and Authority to Demand take and receive all & singular Fees, Profits, Allowances & Advantages whatsoever to the said Offices or either of them belonging or in any wise appertaining in as full and ample manner as the said James St. John or any person exercising the said office in our said Province heretofore did or might have done as by the said Commission relation being thereunto had may appear:

That

That your Petitioner having executed these offices near three years flatters himself that he has given general satisfaction in the Surveyor Generals Office by his Dispatch of Business therein & his constant Attendance at the Office for the same having never been absent two days save once by leave obtained & never suffered a Reprimand from your Excellency & Honours for anything done or omitted to be done by him in the said Offices.

Your Petitioner hopes also that as Inspector & Controller he has likewise given satisfaction to the Honourable The Lords Commissioners for Trade & Plantations in transmitting to them half yearly (as per Instructions to Mr St John)

1st A List of Warrants of Survey issued in that time with their Dates Owners Names, Quantity and where to be Surveyed.

2ndly A List of Plats certified by your Petitioner in said time with their Dates &c.

3dly A List of Lands granted by His Excellency in Council with the Dates of the commencement of the Suit relative

4thly A List of Beaufort Town Lotts granted with their dates & Tenure &c.

Duplicates of the two last your Petitioner has constantly

ly and duely supplied His Majesty's Receiver General with. Also His Majesty's Deputy Auditor to enable them to continue his Majesty's Rent Roll pursuant to the Instructions given his Predecessor in said Office from the Right Honourable the Lords of the Treasury whereby he was "required not to take demand or "receive directly or indirectly from any person what- "soever any Fee Gratuity or Reward for any thing "done by him in or about the said Offices of Inspector "& Controller of his Majesty's Quit Rents & other Rents "& Revenues."

Whereupon your Petitioner conceives that the Salary aforesaid was chiefly intended for the services done as Inspector & Controller the same having been punctually paid by the Receiver General to his Predecessor who by the Multiplicity of Business in the Surveyors Office & the Profits arising therefrom might much easier dispense with the want thereof than your Petitioner, the Profits of the said Office since he has executed the same not having amounted to what is given by Merchants of this Place to their Clerkes And by too aparent Reasons still decreases ever so that in above the space of the last seven Months your Petitioner has received from your Excellency

and

and Honours only three Warrants of Survey & his Fees thereon for Precepts does not amount to five shillings sterling.

Your Petitioner further begs leave to inform your Excellency & Honours that he has at several times applied to George Saxby Esqr Receiver General for the Payment of the said Sallary and that the said Receiver General refuses the same saying that he cannot do it without an Order for the same from their Lordships of the Treasury.

Whereupon the Premises being Considered your Petitioner prays that your Excellency & Honours would interpose your good Offices towards obtaining an Order from The Right Honble The Lords Commissioners of the Treasury on the Receiver General for Payment of the said Salary & arrears And that Your Excellency & Honours would recommend him to the Honble the Lords Commissioners for Trade & Plantations to be by them confirmed in the said Offices as held by his Predecessor if the same shall to your Excellency & Honours seem just & equitable

Jan 9th 1745/6

And your Petitioner as in Duty bound shall Pray &c.

George Hunter.

[Enclosure]

(Enclosure H. 95.)

In the Council Chamber

Friday A. M. the 24th of Jany 1745.

Present

His Excellency the Governor.

The Honble Wm Bull Esqr Lieut. Govr

The Honble { James Kinloch, Wm Middleton; Josepeph Wragg, John Cleland; Edmund Atkin, Chas. Pinckney; Joseph Blake, Richd Hill. } Esqrs

Read the Petition of Mr George Hunter Surveyor General directed to His Excellency the Governor & His Majestys Honourable Council.

Shewing

That the Petitioner upon the death of James Ll John Esqr late Surveyor General &c.

On Reading the said Petition, It was Recommended by the Board to His Excellency that the State of the Petitioners Application be prepared & sent to the Lords Commissioners of the Treasury of Great Britain & Recommended to their Lordships by His Excellency And also That he be recommended as a proper person for the Surveyor Generals Office.

A true Copy Alex. Gordon C C.

(Enclosure.)

(Enclosure. H. 94.)

In Mr Hunter's letter 1 Sept. 1746.

A List of Beaufort Town Lotts granted since April 29th to Octor 30th 1745. Recorded in the Secretaries Office (Report No 5.)

No	The Date of the		Grantees Names	When Granted
	Govrs Warrt	Sur. Genl Certificate		
115	1743 Nov. 15	1744 Augt 13	Joseph Edward Flower	1745 May 24.
120. 124	Do ——	Do June 6	Thomas Jones	Do ——
121	1744 June 28	Do July 22	Thomas Christie	Do ——
129	Do July 27	Do — 28	John Stone	Do ——
171. 172	1743 May 14	1743 May 16	Thomas Berwick	Do ——
178	1744 July 27	1744 July 28	Jonathan Bryan	Do ——
325	Do — —	Do — —	Joseph Bryan.	Do ——
328	Do June 30	Do July 2	Alexr Gordon	Do ——
329	1743 May 14	1743 May 16	John Berwick	Do ——
330	1744 Novr 23	1744 Novr 28	John Mullryne	Do ——
356	1745 May 16	1745 May 16	Steph Bull Junr	Do ——
363	1743 Nov. 15	1743 Dec. 21	Honble Joseph Blake Esq	Do ——

N.B. The Tenure is that the Grantees shall build a good & sufficient Tenantable House of the Dimensions of Thirty Feet in length & fifteen feet in breadth with

with one Brick Chimney at least on each Lott in the space of three years from the date of the Grant And in case of failure therein Then to pay to His Majesty Two Pounds Proclamation Money ℔ annum from thence untill the Expiration of twelve years from the date of the Grant. At which time it is to revert to his Majesty if the Condition is not then complied with.

Charles Town
South Carolina } Certified Octo^r 30^th 1745.

℔ George Hunter
Inspector & Controller

Duplicates were delivered
Mr Laxby & Mr Brainake }

(Enclosure.)

(Enclosure N. 95.)

A list of Grants Recorded in the Secretary's Office since April 29 to October 30th 1745. Report N: 5

The Quit rent commences from date of the Grant.

Greatees Names	Acres	County	When Granted.
Edmund Barnes	162	Berkley County	1745 May 23.
Bethel + Wm Dewes.	356	Do	Do 24
Robert Brewton	117	Do	Do Do
Samuel Hudson	300	Do	Do Do
Obedia Allen	1200	Do	Do Do
Wm Wright	400	Craven County	Do Do
Robt Futhy	250	Do	Do Do
Do Do	250	Do	Do Do
Jonathan Calkins	700	Do	Do Do
Thomas Broom.	200	Do	Do Do
Saml Buckston	450	Do Keleh Tract	Do Do
John Newberry	200	Do	Do Do
Do Do	100	Do	Do Do
John Booth	200	Do	Do Do
Francis Young	700	Do	Do Do
Do Do	350	Do	Do Do
John Carter	100	Do	Do Do
Abraham Colson	600	Do	Greatees

Grantees Names	Acres.	County	When granted.
Philip James	100	Craven County Welch Tract	1745 May 24.
James Jones	350	Do	Do
Richard Barrow	150	Do	Do
Peter Righley	400	Do	Do
Moses Crosbey	150	Do	Do
Saml Dalauraney	100	Do	Do
Henry Yonge.	700	Colleton County	Do
Jacob Yonge.	250	Opposite to Saxe Gotha	Do

Quit Rent commences ten years after date of the Grant.

Grantees Names	Acres	Township	When granted.
Mary Haggatt	100	Amelia	1745 May 24.
Eliza Haggett	300	Do	Do
John Hepperdizell	150	Orangeburg	Do
George Shower	200	Do	Do
John Balziger	50	Do	Do
John Frasher	50	Saxe Gotha	Do
John Versinger	100	Do	Do
John Delagage	250	Purrysburg	Do
Roger Gibson in Trust for John Mc Bride	250	Williamsburg	Do

Charles Town South Carolina October 30th 1745

Certified p George Hunter
Inspector & Controller

Duplicates delivered Mr Lacky Receiver & the Granchee Deputy auditor.

9

(Enclosure H. 96.)

in Mr Hunter's 1 Sept 1746

An Account of Platts delivered out of the Surveyor 29th day of April to the 30th day of October 1745

Date of the		Where to be Surveyed and Quantity	Quantity Surveyed
Gov.r Warrant	Sur. Gen.l Precept		
1744 Jan. 23	Do. —	Special Resurvey	1112
1737 Jan. 28	1737 Feb. 2.	General 1850	38
1745 May 16	Do. —	Beaufort Lot №356	
1739 Aug. 6.	1739 Aug. 15	General 300	300
1735 Mar. 20	1735 Mar. 20	At Ninety Six 200	200
1744 May 8	1744 May 8.	Amelia 300	300
1736 Dec. 18	1736 Dec. 18.	Saxe Gotha 200	200
1738 Apl. 1	1738 Apl. 1	General 1250	150
1744 Oct 6	1744 Oct. 6	Craven 300	300
1739 May 3	1739 May 3	General 450	200 250 }
1744 Mar. 16	1744 Mar. 16	Saxe Gotha 300	300
— Feb. 18.	— Feb. 18	Do. 150	150
— Mar 20	— Mar. 20	Do. 250	250
— — 15	— — 15	Do. 200	200
— Jan. 18.	— Jan. 18.	Do. 400	400
— Dec. 1	— Dec. 1	Amelia 100	100
— Oct. 6	— Oct. 6	Fredericksburg 200	200
— Dec. 3.	— Dec. 3	Orangeburg 100	100
— Oct. 6	— Oct. 6	Do. 100	100

General's Office of South Carolina from the } H. 96.
being Six months. } Report No 5.

For whom. County or Township	Certified by the Surveyor General	When Returned into the Office	When delivered
Jas. Bourdeaux Berkly	1745 Apl. 22	1745 May 1	1745 May 1
Thos. Cooper Colleton	— May 27	— —	— 29
Step: Bull	— —	— —	— —
Lewis Lorinier Craven	1745 May 29	1742 Oct. 8	1745 June 29
Thos Brown at 96	1744 Feb. 8	1745 June 4	— —
Geo. Haig Amelia	— Mar 23	— — 27	— July 19
Robt Lang Lex Gotha	1737 Nov. 10	1738 Jan 5	— —
Elihu Baker Craven	1744 Jan. 3	1745 July 16	— —
Gilbt Gibson Do	— — 4	— —	— —
Jont Welshhuysen Granvil	— Apl 3/4	1744 Oct 3.	— 22
Jack Staffs Lex Gotha	1745 — 10	1745 July 16	— 24
Michl Augustes Do	— —	— —	— —
Johannes Kerter Do	— — 9	— —	— —
Casper Faust Do	— — 12	— —	— —
Andw Buck Do	— — 11	— —	— —
Mary Bear Amelia	— July 3	— —	— —
Mr Brantzen Freder Co	— Apl. 29	— —	— —
Hans en Boden Orange	— May 7	— —	— —
Jno Wolfe Do	— —	— —	— —

Date.

Date of the Govr Warrt	Sur. Genls Receipt	Where to be Surveyed and Quantity		Quantity Surveyed
1744 Mar. 22.	1744 Mar 22	Oposite to L. Gotha	150	150
—— May 7	—— May 7	Welch Tract	300	300
—— —— ——	—— —— ——	—— ——	300	300
1734 Feb. 10	1734 Feb. 13	General	300	55.
1739 Jan. 30	1739 Jan 30	Do:	850	700
1732 Mar 29	1732 Mar 29	Do:	450	173
1737 Apl. 8	1737 Apl. 8	Do:	200	168 32
1736 Nov. 10	1736 Nov. 13	Do:	300	300

Charles Town
South Carolina } Certified Oct. 30th 1745

For whom, County or Township.	Certified by the Surveyor General	When returned into the Office	When delivered
Jno George Shellepy	1745 May 29	1745 July 16	1745 July 24
Isaac Chandler Rel. Tract	— June 18	— — —	— —
Do —	— — 20	— — —	— —
Benj Atwel Berkley	1744 Oct 20	— July 25	— July 25
Wm Buchanan Coleton	1743 Nov. 10	— May 14	— — 31
Jno Ellis Berkley	1745 July 31	1733 Oct. 16	— — —
Margt Ash Bravea	— Aug 21	1743 apl 29	— Aug 21
Thos Burton Do	1744 Mar. 19.	1745 Aug 14	— Sept 10

p George Hunter
Surveyor General

A List of the Precepts issued from the Surveyor Genl Office in pursuance of the Governors Warrants of Survey from the 29th of April to the 30th of October 1745. - Reported

Date of His Excellency's Warrant and Surveyr Genl Precept.	For whom	Where to be Survey'd	Acres.
1745 May 14	Samuel D'Lawrency	Welch Tract	200
D°	D°	D°	150
D°	D°	D°	50
D°	Godfry Trayer	Lake Gotha	150
D° 7	Isaac Chandler	Welch Tract.	300
D°	D°	D°	300
D° 8	John Rogers	Forks of Santee	200
D°	D°	D°	200
D° 13	John Baxter	Special Graven	1000
D°	D°	D°	400
D° 16	Stevn Bull junr	Lott N°356 Beaufort	
D° 22	Alexr Brown	Special Graven	500
D°	George Mitchell	D° Colleton	1140
D° 23	Isaac Nichols	Welch Tract	300

South Carolina
Charles Town 30 Oct. 1745

Certified p George Hunter
Surveyr Genl

(Enclosure H. 97.)

A List of Grants recorded in the Secretary's Office of South Carolina since the 29th of October 1745 to 30th Apl. 1746 being six Months. - - - - - Report No 6.

The Quit Rent commences from date of the Grant.

Grantee's Names.	Acres	County	When Granted.
John Hicks	350	Craven	1745 Jan. 18
Isaac Chandler	300	Do	Do Feb. 22
Do	300	Do	Do Do
Wm Baker	200	Do	Do Do
Sarah Hunter	550	Do	Do Do
Lewis Dutarque	340	Do	Do Do
John Hamil Purdy	300	Do	Do Do
Gilbt Gibson	300	Do	Do Do
Eliza Berdely	200	Do	Do Do
Do	200	Do	Do Do
Do	304	Do	Do Do
Thos Burton	300	Do	Do Do
Danl Laroche	346	Do	Do Do
Rd Richardson	300	Do	Do Do
Margt Ash	168	Do	Do Do
Do	32	Do	Do Do
Solomon McGraw	200	Do	Do Do

Grantees Names	Acres	County	When Granted
Elihu Baker	150	Craven	1745 Feb. 22
Jacob Buckholts	250	Do	Do Mar. 22
Thos. Ellerbee	300	Do	Do Do
Do	150	Do	Do Do
Do	100	Do	Do Do
John Chandler	400	Do	Do Do
Alexr Mc Cree	150	Do	Do Do
James Bourdieux	575	Do	Do Do

being Overmeasure within the Bounds of his old Plat obtained his Grant at 1 shilling Proc money agreeable to the Quit rent Law.

Quit Rent commences Ten years after date

Grantees Names	Acres	Township	When Granted.
Saml Wild	350	Queenboro	1745 Jan. 18
Abel Wild	200	Do	Do Do
Casper Faust	200	Saxe Gotha	Do Feb. 22
Andw Buch	400	Do	Do Do
Michael Augusta	100	Do	Do Do
Jacob Kraffs	300	Do	Do Do
Johannes Reuter	250	Do	Do Do
George Heleppy	150	Opposite Saxe Gotha	Do Do
Hans Jo Bodeo	100	Orangeburg	Do Do
John Wolf	100	Do	Do Do

Grantees Names	Acres	Township	When granted
Mary Bear	100	Amelia	1745 Feb 22
Michl. Branham	200	Fredericksburg	Do Do
Abm Crofts	500	Kingston	Do Mar 22

Beaufort Lotts	No	Granted
Hon^ble John Cleland	105	1746 Feby 22
Jas. Battern	113	Do Mar 22
David Butler Braddock	314	Do Do
Allen Mc Clean	347	Do Do

Given under my hand this 30th of
april 1746
George Hunter Inspector & Controller

Duplicates were delivered
to Mr Saxby Receiver Genl
& Mr Cramahee Deputy Audr

a

A list of the Precepts issued from the Surveyor Genl. office of South Carolina in pursuance of the Govrs. Warrants from the 29th of Octor. 1745 to april 30th 1746.

Report No. 6.

The Date of his Excellt. Warrant and Surveyor Genl. Precept.	For whom	Where to be Survey'd	Acres
1745 Dec. 6	James Griffith	Welch Tract	400
Do. 7	Jacob Rote	Orangeburg	200
Do. 9	Andw. Moak	Saxe Gotha	250
Do. Jan. 9	Thos. Howell	Forks	200
Do. Do.	Patrick Welch	at Ninety Six	300
Do. Do.	Henry Long	Orangeburg	50
Do. Do.	Michl. Bomer	Saxe Gotha	100
Do. Do.	Margt. O Neal	Berkley	100
Do. Do. 11	Jno. Tyler	N. side of Pedee	100
Do. Do.	Jno. Shingleton	Do.	100
Do. Do.	Hardy Council	S. side Do.	400
Do. Do. 9	Arthr. Howell	Forks	150
Do. Do. 11	Henry Roach	Craven	150
Do. Do.	Jacob Carneal	Saxe Gotha	150
Do. Do. 15	Jno. Rowel	W. side of Pedee	300
Do. Do.	Edwd. Jaueler	N. side of Do.	350
Do. Do.	Ewan Vaughan	Welch Tract	100

The

The Date of His Excellency's Warrant and Surveyor Genl's Precept.	For whom	Where to be Surveyd	Acres
1745 Jan. 15.	John Frocly	Orangeburg	350
D° D°	Owen David	Welch Tract	50
D° D° 16	Geo. Kitts	Orangeburg	150
D° D°	Geo. Austen	Resurvey	
D° D°	Jno. Smith	D°	
D° D° 23	And[w] Johnson	Craven.	500
D° D°	Ant[o] Kauffman	Saxe Gotha	200
D° Feb 1	Tho[s] Greenwood	Welch Tract	300
D° D°	Danl Klein	Saxe Gotha	200
D° D°	Adam Shekle	D°	200
D° D°	Nich[s] Miller	D°	200
D° D°	Saml Laier	D°	150
D° D°	Danl Burghard	D°	250
D° D°	Anty Wright	Forks	450
D° D°	Luke Gibson	W[n] side of Wateree	100
D° D°	Susana Gibson	D°	50
D° D°	Jas Batten	Beaufort Lot N°13	
D° D° 13	Joab Edwards	Welch Tract	50
D° D°	Isaac Hickman	D°	500
D° D°	W[m] Delvatch	D°	350
D° D°	Edw[d] Boykin	D°	350
D° D°	W[m] James	D°	250
			1[he]

The Date of his Excellency's Warrant and Surveyor Gen^{ls} Precept.	For whom	Where to be Surveyd	Acres.
1745 Feb 12	Jas. Bruce	Welch Tract	150
Do Do	Wm Hughes	Do	50
Do Do	Corn^{s} Reine	Do	400
Do Do	Jas. Jones	Do	300
Do Do 14	Jos. Allison	Do	300
Do Do	John Perkins	Do	200
Do Do	Danl Monahan	Do	50
Do Do	Wm Evans	Do	250
Do Do	John Kirkwell	Orangeburg	250
Do Do	Geo. Rainford	Saxe Gotha	150
Do Do	Jno Pearson	opposite S. Gotha	250
Do Do	Thos West	on Watree	500
Do Do	Jno Pettinger	on Santee	450
Do Do 20	Malaity Murphy	Welch Tract	650
Do Do	Abr^{m} Prisbee	Do	200
Do Do	Jas Griffith	Do	150
Do Do 21	Ante Earnest	Saxe Gotha	50
Do March 12	Danl Higgins	Welch Tract	150
Do Do	Jas Baker	Do	400
Do Do	Ben. Rogers	Do	400
Do Do	Wm Hemsworth	Do	150
Do Do	Wm Smith	Do	150
			The

The Date of His Excellency's Warrant and Surveyor Genl. Precept.		For whom	Where to be Surveyd	Acres
1745	Mar. 12.	Geo. Green	Wm. Burgh	100
Do.	Do.	Jacob Theiler	Saxe Gotha	150
Do.	Do.	Danl. Manahan	Special	150
Do.	Do.	Jacob Keesle	On Santee	200
Do.	Do. 14	Danl. Hoch	Orangeburg	100
Do.	Do.	Jas. Jenkins	Op. S. Gotha	250
Do.	Do. 19	Hans. Annestranz	Do.	200
Do.	Do. 22	Thos. Eberhard	Amelia	100
Do.	Do.	Jas. Mc. Kelvey	Op. S. Gotha	200
Do.	Do.	Jas. Mc Girt	Special	450
1746	Mar. 26	Thos. Green	Do.	110
Do.	Apl. 21	Ken. Mickie	Do.	250

Charles Town
South Carolina } Given under my hand this 30th day of april 1746

George Hunter Surveyor Genl.

An

An Account of Platts delivered out of the Surveyor 29th of October 1745 to the 30th of April 1746 being

Date of the Govr Warrant			Surv. Genl Precr.			Where to be Survey'd & Quantity	
1744	Oct.	6				opposite to L. Gothe	200
						Forks of Wateree	300
						Special	300
						Do	100
Do	Dec	3				opposite to Lax Gothe	200
1738	June	3	1743	May	4	General	2846
1736	Octr	13	1736	Oct	21	Do	800
1737	Feb.	8	1737	Feb.	11	Williamsburg	300
1744	Mar.	16				Craven	150
1738	Jan.	24				Williamsburg	500
1744		19	p Ordr of Council			Special	525 / 300
1741	Nov.	12	1741	Nov.	13	Welch Tract	350
1737	Apl.	8	p Order of Council			Queenboro	550
1739	Feb.	27				General	400
1736	Dec.	17			22	Kingston	500
1744	Feb.	1				opposite to Saxe Gotha	250
1744	Jan.	29				Do	200
1743	May	14	Beaufort Town Lott			Number 247	251
1743	Nov.	15	Do			No	105

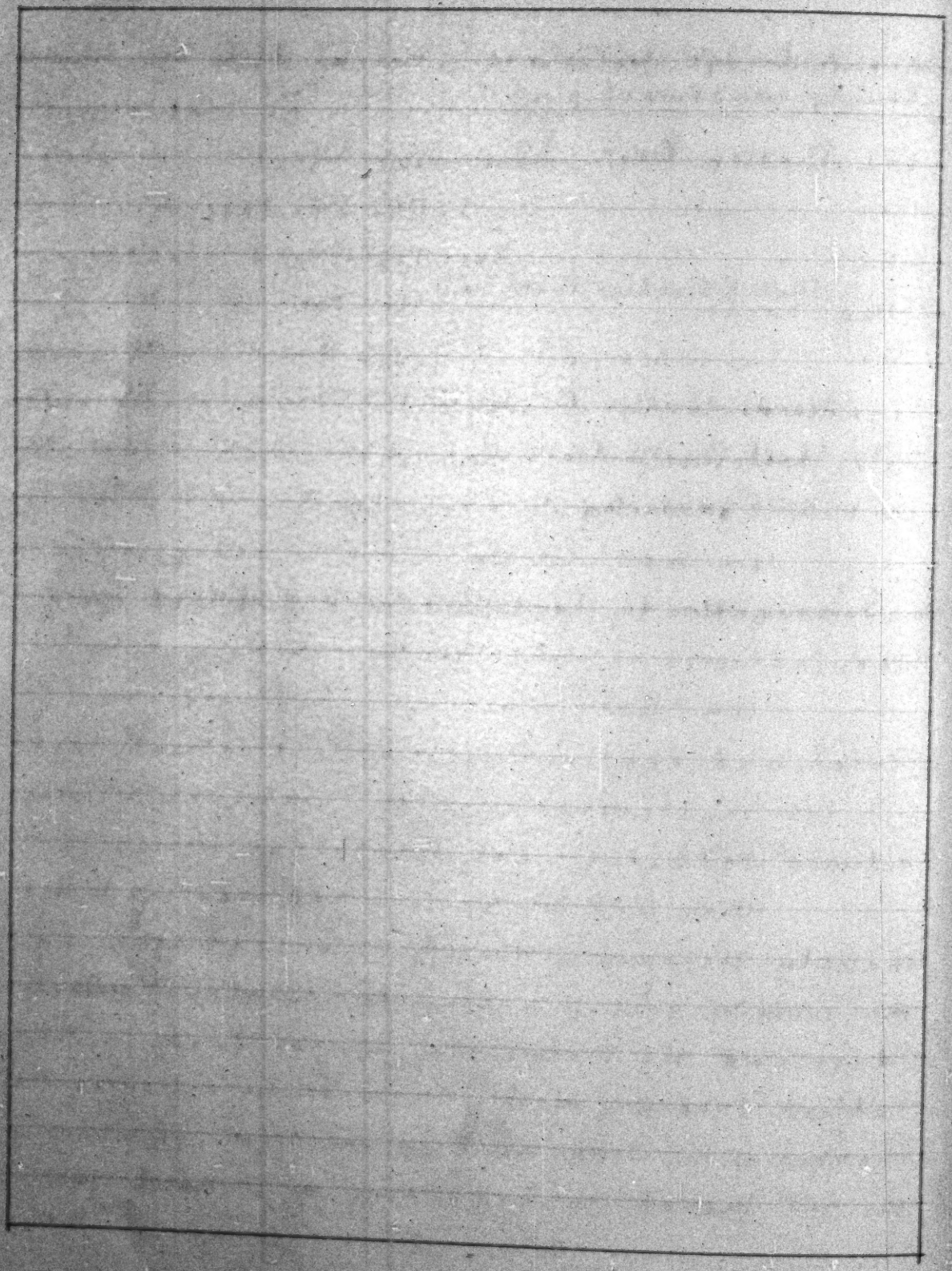
General's Office of South Carolina from the six months — — — — — — — — — } Report No. 6.

Quantity Survey'd, for whom	County or Township	Certified by the Sur. Genl.	When delivered
200 Mary Hyde	on Lake Gothe	1744 Oct. 27	1745 Nov. 18
300 John Ham Purdy	Forks	do Jan 10	Do.
300 Richd. Richardson	Craven	Do. Sept 7	Do.
100 Jno. Jacob Geiger	Do.	1745 Aug. 24	Do.
200 Wm. Baker	on S. G.	Do. May 20	Do.
346 Danl. Laroche	Craven	Do. Oct. 28	Do. Dec. 14
559 Saml. Hunter	Do.	Do. July 1	Do. 18
300 Wm. King	Wm. Burg.	1744 Mar. 13	Do. 24
150 Alexr. McGee	Craven	1745 Mar. 27	Do.
300 Jas. Pogue	Wm. Burg	Do. Dec. 2	Do.
525 / 300 Richd. Palmer	Granville	1744 Jan. 19	Do.
350 Jno. Hicks	Welch Tract	1746 Do. 15	Do. Jan 17
350 / 200 Saml. Wild / Abel Wild	Queensboro	Do. Do. 14	Do.
400 Jno. Chandler	Craven	Do. May 14	Do. 18
500 Abrm. Crofts	Kingston	Do. Jan. 22	Do. 22
250 Hugh Murphy	on S. G.	1744 Mar. 1	Do.
200 Solomon McGraw	Do.	1745 May 30	Do.
Allen McClean		1743 Do. 26	Do. 29
Honble. John Cleland		Do. Dec 21	Do. Feb. 1.
			Date

Date of the		Where to be Survey'd & Quantity
Govr Warrant	Sur. Genl Pract.	
1745 Feb. 1	Beaufort Town Lots	No 113.
1744 Mar. 21		Welch Tract 1000
1743 Nov. 15	Beaufort Town Lot	Number 314
1739 June 16	1739 June 17	Welch Tract 250
1744 Feby. 1	———	opposite Saxe Gotha 100

Quantity Surveyd. for whom. County or Township.		Certified by the Surv. Genl	When delivered
Jas. Batten Esqr		1745 Feb. 1	1745 Feb. 4
150	Thos Ellerbee Welch Tract	1745 Apl 19	Do
415		1745 May 10	Do
100		1745 May 11	Do 11
335		1745 Nov. 11	Do
	David Butler Braddock	1743 Dec 21	Do 12
250	Jacob Buckholts N. J.	1745 Feb. 13	Do 13
100	Wm Janeway opr. L.G.	1745 Dec. 31	Do 14

Given under my hand this 30th day of April 1746.
George Hunter. Surveyor Genl



B.P.R.O. So Carolina B.T. Vol 14. H. 85

(1 Sept. 1746.)

To the Right Hon^ble
The Lords Commissioners
For Trade and Plantations

My Lords,

In Obedience to your Lordships Commands signified to me by Mr Hill I have considered the 17 following Acts passed at South Carolina in 1744 Entituled

An act for the further improvement & encouragement of the produce of Silk and other Manufactures in this Province &c^a

An act impowering Commissioners to finish and continue certain Roads already laid out for the convenience of the Inhabitants reriding between Salketcher and Pocotaligo Rivers.

An act for raising and granting to His Majesty the sum of £51,205.12.2¾ and for applying the sum of £8056.4.3 being the Surplus of several Taxes and the Balance of several Funds in the Publick Treasury of this Province for defraying the Charges of the Government for one year commencing the 25^th March 1743 and ending the 25 March 1744.

&a

An Act to remedy some defects in his Majesty's Rent Roll and to enable the Officers of the Revenue to make a more perfect Roll of his Majestys Quit Rents in this Province and to discharge from the payment of future Quit Rents all such persons as upon transferring their property shall enter Memorials of such Transfer in the Auditor's Office pay the Quit rents due and comply with the other directions of this Act.

An Act for the better Governing and regulating White Servants and to repeal a former Act intituled An Act for the better Governing and regulating White Servants.

An Act to appoint persons to serve in Juries pursuant to the directions of an Act of the General Assembly passed the 30th August 1731. Entituled An Act confirming and Establishing the Ancient and approved method of drawing Juries by Ballot in this Province and for the better Administration of Justice in Criminal Causes and for appointing of Special Courts for the Tryal of the Causes of Transient persons declaring the power of the provost Marshall for allowing the proof of Deeds beyond the seas as Evidence and for repealing the several

Acts

Acts of the General Assembly therein mentioned.

An Act for the more effectual relief of insolvent Debtors and for that purpose putting in force and effectually carrying into execution in this province such part of an Act made in the Parliament of Great Britain in the Second year of his present Majesty's Reign entituled An Act for the Relief of Debtors with respect to the Imprisonmt of their persons as is thereinafter mentioned.

An Act for the better securing the payment and more easy recovery of Debts due from any person or persons inhabiting residing or being beyond the Seas or elsewhere without the Limits of this Province by attaching the monies Goods Chattels Debts and Books of Accounts of such Person or persons if any he she or they shall have within this province And to impower and enable a Feme Covert that is a sole Trader to Sue for and recover such Debts as shall be contracted with her as a sole Trader and to subject such Feme Covert to be arrested and Sued for any Debt Contracted by her as a sole Trader.

An Act for allowing mutual Debts to be discounted and for explaining the 6th paragraph of

of an Act Entituled An act for making more Effectual Wills and Testaments and for making valid all former wills in this province according to the Tenor of the same and for putting in force several useful Matters herein comprised.

An Act for allowing the Plaintiff in Ejectment to bring more than one action for the recovery of any Lands or Tenements claimed within this Province and for Repealing the 4th paragraph of an Act for settling the titles of the Inhabitants of this Province to their possessions in their Estates within the same and for limitation of Actions and for avoiding Suits in Law.

An Act for regulating the making of Dams or Banks for reserving Water where the same may affect the propertys of other persons.

An Act for confirming and establishing a publick Street from the North bounds of Charles Town to the North end of the Bay of the said Town and for building a Bridge over the marsh at the north end of the said Bay and assessing the Lands and Improvements of the several persons therein named towards defraying the expence of the same.

An Act for building a Bridge over the North branch

branch of Black river opposite to the Landing of John Wallis Esqr deced in the Parish of Prince George Winyaw and for building a Bridge between Ladys Island and St Helena's Island in Granville County from the Causeways already begun to be made over the Marshes in the said Islands.

An act declaring Dorchester Bridge, Bacons Bridge, Mr Cullums Bridge, Eagles Bridge, Bakers Bridge and Warings Bridge in the Parish of St George Dorchester to be Parish Bridges and appointing the manner in which the same shall hereafter be kept in Repair and for reviving and continuing an Act of the General Assembly of this Province Entituled An act to impower the several Commissioners of the High Roads, Private Roads, Bridges, Creeks, Causeys and Cleaning of Water passages in this province of south Carolina to Alter and lay out the same for the more direct and better Convenience of the Inhabitants thereof.

An Act to encourage the Destroying Beasts of prey.

An Act for the further preventing the Spreading of Contagious or Malignant Distempers in this Province

An Act for the raising and levying the Charges of

of Conveying Malefactors and Offenders to Goal and for defraying the Charges of Criminal prosecutions And for repealing the last paragraph of an Act of the General Assembly of this Province Entituled An Act for Authorizing the General Court in Charles City and Port to exercise several powers and privileges allowed to the County and Precinct Courts within this Province and some other Regulations.

To which I have no Objection in point of Law

I am

1 Sept. 1746. My Lord

your Lordships most

Obedt Servant

Fran: Fane.

Read Sept. 4th
Read Nov. 18th } 1746.

B.P.R.O. S.r Carolina B.Y. Vol 14 H 88.

South Carolina Sept.r 29.th 1746.

My Lords.

I did myself the Honour to write to your Lordships from Saludy about the Beginning of may last, since wch I sent a Duplicate by another conveyance, & in case of Accidents I have here inclosed another Copy, because I intend that this letter shall continue the Account of that Progress, & so your Lordships will have our Indian Affairs before you at one view.

A few Days after I wrote that letter I had an Interview with the Emperor of the Cherokees, who came to meet me with Threescore of the Head men of that Nation; and besides our Publick Conferences, I had several private Conversations with him, & with some of his most noted Leaders. I shall not presume to trouble you with a Particular Detail of what passed; though as these Speeches, or Talks, as they are called, are in the Nature of Treaties, perhaps it might not be amiss that they should be lodged at the Secretary of States Office, or at the Board of Trade, to be turned to your Occasion; and therefore as they are now printing

I

I shall take an Opportunity to inclose them in some of my future letters.

I could not gather from what passed that these People had any Intentions of breaking with the English whom they acknowledged to be their old, true and tried friends, or of joining the French whom they called Strangers; but they said as some of their Towns were situated upon the Rivers wch run into the Mississippi & are quite open & exposed, & at the Mercy of the French & their Indians, who frequently visit them in their Canoes, their Danger determined these Towns to favour the French. This I thought gave me a fair opening to propose our Building a Fort for their Security to be Garrisoned by us, into wch their Women & Children might retire at the Approach of an Enemy; but as they are pretty jealous of their Liberty they did not readily agree to it, neither did I press it much, having no Authority from His Majesty for so doing, but I am of Opinion that if we had a Fort in these Overhills Towns, as they call them, it would effectually bar the door against the French, & be such a Bridle in the Mouths of the Indians themselves, that would for ever keep them ours.

at

At parting they told me they expected the French in Winter, but they would enter into no Engagements with them, without my leave. They then returned to their several Habitations, & I proceeded across the Country to meet the Chickasaws & Creeks at Fort Moore wch is about one hundred & fifty Miles from Charles Town.

These Chickasaws have been long settled upon a very fine Tract of Land granted to them by the Government; but of late they have behaved with uncommon Insolence, having threatened the lives of several of our Inhabitants, & terrified the People in our new Townships, which are not yet very populous; for not contented with killing their Hogs & Poultry, they have broke open their Houses and robbed them of their Arms Cloaths &c. This required immediate redress: I therefore spoke pretty roughly to them, telling them that unless they instantly gave up what they had taken, & brought to me the Catawbaw Prisoners, whom they detained in Slavery, I would give orders for putting the Guilty to death. They then submitted, and I pardoned them; and ever since they have been very humble and very quiet.

The Creeks are a Nation of Indians, lying upon

upon the Shattahutche, the Halbama, and the other Rivers wch run into the North side of the Bay of Mexico, & tho' they are not so numerous as the Cherockees, being about Two Thousand five hundred Gunmen only they are our Barrier on that side against Louisiana & the Indians called the Chactaws, who are entirely French.

Monsieur de Vandremille the present Governor has been at Infinite Pains to obtain their Friendship, but having few Goods to trade with them & those not so well assorted as the English, we continue hitherto in great favour.

I have formerly given your Lordships an Account of the French Fort, called the Halbamas, in this Nation wch is a great Thorn in our sides. I earnestly pressed Permission from these People to take take it, for without their Leave, it is not to be attempted. This they have hitherto refused, but said they would consult about it at one of their general meetings & send me an Answer by some of their principal men in the Fall. I look for them every day.

Thus I have given your Lordships some Account of the Circuit wch I took amongst the Indians last Spring; & wch is remarkable, though there

there were near three hundred persons of the Province who went with me, & who were but ill provided with Necessaries for such a journey, & though the weather proved exceedingly bad, I had the Pleasure & it paid all my Fatigue, to see every man Return in Health after a March of six hundred Miles.

Thus Matters have stood with our Indians from the beginning of May last, but about a Fort-night ago I received an Express from the Cherokee Nation giving me an Account that some of their Hunters had discovered thirty large Canoes coming from the Mississippi & a numerous body of French & Indians by Land. The General Assembly was sitting when the Advices arrived wch I immediately communicated to them. They were greatly alarmed and voted large Presents to the Indians to keep them steady & a Gentleman of Distinction to be sent up as Agent with a Party of Horse, both as a Security to his Person & to procure him the more Respect. I shall know in two or three weeks the Truth of these Reports, & if I find them well founded, I shall without loss of time take the proper steps to disappoint the French schemes, wch I hope may be the easier done, as the Indians have an intire confidence

fidence in me.

Since I have been obliged to trouble your Lordships with so long a Letter upon Indian Affairs it may not be amiss to mention the great Benefit that accrues to Britain by Our Trade with them. The Goods which we supply them with being Strouds Duffills, some Sheeques, Guns, Powder, Bullets, Looking Glasses & a few other Articles, all of British Manufacture; for wch they pay us in Deer Skins, wch are sent by the English to Germany, & other Parts. The Annual Export of Deer Skins from this Port only is betwixt six and Seven hundred Hogsheads; each Hogshead being worth Fifty Guineas in Charles Town; and to this must be added the Duty, Freight, Insurance, & Merchant's Gains wch make altogether a considerable sum. As this will shew their Friendship to be beneficial; it were easy on the other hand, to demonstrate to your Lordships that a War with them would be dangerous & destructive but be my Thoughts rather employed to avoid whatever may occasion it; & to go on, as I hope I have happily begun, to cultivate the best understanding wth all of them.

I am wth great respect My Lords Your Lps most obedt & humble Servt

James Glen.

To the Rt Hon^ble The Lords of Trade & Plantations.

Read Dec. 15^th 1746
Read — 16^th

B.P.R.O. So Carolina B.T. Vol. 14 H. 89.

So Carolina October 4th 1741.

My Lords,

I have in the other Letters which I now send your Lordships fully informed you of our situation with the Indians & as I apprehended that it was best to represent matters of that great concern unmixed with other Business, I have reserved many other material Matters for another opportunity, & in this present Letter I shall confine myself to those two which seem to require your Lordships immediate care viz the state of ye Council, and the Protection of our Trade.

The Council of South Carolina as in all other Provinces consists of twelve, a greater number would lessen their Authority, and fewer (considering Accidents of Sickness) could not well carry on the Public Business. Of these Twelve Mr Wragg is by a long indisposition rendered unfit for that Station and has acquainted me that he can no longer attend, there are four more who are in England, some have been absent three years, and others near four, these four are Mr Bolliton Mr Fenwicke, Mr Hammerton & Mr Hill, two more here

have given notice that they leave this Country for England early in the Spring. these two are Mr. Blake, and Mr. Atkins, another has applied to me for leave to go to New York for the Recovery of his health namely Mr. Hinlock, two others live at the extremitys of the Province. the one Mr. Bull being near Port Royal to the Southward the other Mr. Bleland at Wyniew to the Northward.

Your Lordships are so perfectly acquainted with the Nature of his Majestys American Governments, as to make all remarks from me upon the above representation unnecessary however I cannot omit mentioning that by a particular law of this Province seven Members of the Council must be present with the Governor, to constitute a Court of Chancery, and as such a number can rarely be had, some causes have been depending several years, and for many months past there has been a total failure of Justice.

Agreable to his Majestys Instructions, I send your Lordships the names of Gentlemen well qualified for supplying of Vacancys, and for whose punctual attendance I can be answerable, Benjamin Whitaker Esqr Chief Justice, James Grame Judge of the Court of Vice Admiralty, Alexander Vander Dussen Esqr., Hector Bourgoe

Berenger de Beaufin Esqr Coll.r of the Customs in this port, James Michie, Othniel Beal, John Lining, But I must observe to your Lordships, that the first named Gentleman, Mr Whitaker tho' every way well qualified has obtained my leave of absence from his duty of Chief Justice, and goes to England in this vessel, for the recovery of his Health.

The safety of this Country and the security of our Trade in a great measure depend upon having some of His Majestys ships Stationed here, and therefore I inform your Lordships, with the deepest concern that when the vessel that carrys these dispatches shall sail we have neither Ship nor Sloop of War left for our defence what will be the consequence I dare not prophesy, but it must afford a very melancholly prospect to every person concerned either in the Trade or property of the Province to consider how convenient we lye for Privateers from Cape Francoise, the Havannah, or St Augustine. The temptation they have to watch for our rich ships from London or Bristol, or the great booty they may take by landing and carrying off our slaves all alongst our Coast, the ease with which this might be attempted, and the unavoidable

unavoidable ruin of numbers of our people if it should be accomplished, make me write in these strong terms.

My zeal for his Majestys service and for the happiness and safety of his Province committed to my Government will make me take all proper measures for its defence, of which I have the honour to assure your Lordships, being with great respect

My Lords

Your Lordships

most humble &

most Obedt Servant

James Glen.

I have written to the same effect to the Secrys of State.

Recd Dec. 15 }
Read —— 16 } 1746.

B.P.R.O. A.+W.I. Vol. 19 p. 258.

South Carolina October 15th 1746.

Sir,

As I am unwilling to give His Grace the trouble to mention everything that happens in the Province to him, I take the liberty to acquaint you that Mr Murray (who acted by Virtue of a Deputation from Apsley Brett Esqr Naval Officer) died lately and immediately upon his Death I appointed Daniel Hunt Esqr Naval Officer, who would thereby be entitled to the whole Income till a new deputation should arrive, But as Mr Brett cannot possibly have a better Deputy, and as Mr Hunt is a Gentleman of the greatest worth, I hope he will be continued at the same rate the other held it wch was ninety pounds p annum and in that case it will be paid to Mr Brett from the Death of Mr Murray and the same Gentleman will be Mr Hunt's security.

As for Mr Bruttenden I have never heard from him tho' I have often pressed him to write to me, and to send me an account of what money he had received, neither has Capt. Wilson let me know how much he has paid out of my Salary for

for his use. I have however sent by this ship Fifty pounds Sterling, and I beg that he may write to me.

I rely much upon your friendship in keeping me well with His Grace. I thank God I do my Duty to My King and the Province of South Carolina. I know how little time you have to spare to expect any letter from you, but it would be a singular favour to drop a single line

I am

with great sincerity and truth

Sr

Your most obedient Servant

James Glen.

Andrew Stone Esqr

B.P.R.O. A + W.I. Vol. 19. p. 256.

(No Date.)

South Carolina Employments.

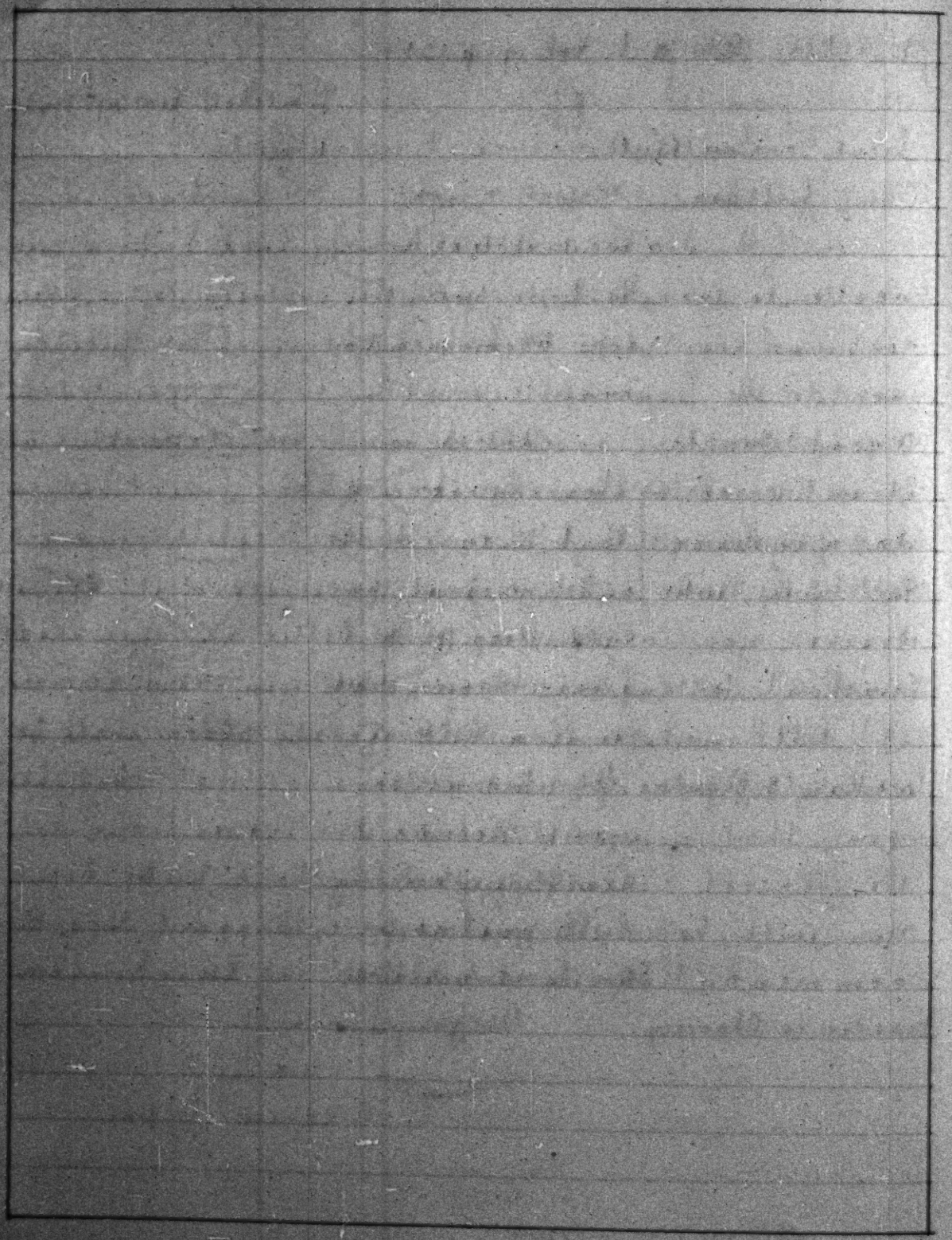
Chief Justice. Robert Wright. Mr Hutcheson.
has a Grant from
the Proprietors for
life wch he will sur-
render.

Attorney General. Abercrombie. Colo Bathcart.

Provost Marshall } Thomas Lowndes and
Clerk of the Crown + } Hugh Watson have
Clerk of the Peace. } a Grant from the
Proprietors for their
Lives. + desires a new
one from the King

Secretary + Register John Hammerton
upon a Surrender of
this Office granted by
the Proprietors for
two Lives to Mr Berlie.

Master in Chancery Gregory.



B.P.R.O. A. & W.I. Vol. 19 p. 251.

Whitehall Nov: 29th 1746.

Lieut. Governor Bull.

Sir,

I am directed by my Lord Duke of Newcastle to transmit to you the inclosed letter, which contains His Grace's Recommendation of Mr Hutchesson to the General Assembly, to be appointed Agent for the Province of South Carolina. But as it is by no means my Lord Duke's Intention to do anything, that may in the least prejudice Mr Fury, who is at present possessed of it, His Grace desires, you would keep this letter in your hands, (without letting one know that you have received it) till such time as the Agents place shall be actually vacant; and as soon as that shall happen, that you will deliver His Grace's letter to the General Assembly, when my Lord Duke hopes you will have the goodness to support His Recommendation, in favour of Mr Hutchinson

I am

&c.

Andrew Stone.

B.P.R.O. A+N. I. bol. 19. p. 252.

A State of the Case as to the Province of South Carolina Evidencing that ye Right of Nominating a Govr to that Province is in the Crown

King Charles the second in the 15th year of his Reign by Lres Patents Grants the Province of South Carolina to the Earle of Clarenden & Seven others and to their heirs & Assigns & Creates them true and Absolute Lords & Proprietors of the said Province and (Int alia) gives to them their Heirs & Assigns Power to appoint Governors and to enact Laws with the Assent of ye Freemen of ye said Province or their Delegates. But there are no words in the Charter impowering them or a Majority, or any particular number of the said Proprietors to appoint Governors or Enact Laws.

In the year 1669 the then Proprietors made a Body of Constitutions Stiled the Fundamental Constitutions of Carolina in Number (120) and declare the same to be the Sacred and unalterable Rule of Government of Carolina for Ever, But there is no Power given them by ye Charter so to do. Nor were ever the said Constitutions Confirmed or

or Exacted by the Assembly of Carolina, altho' the Proprietors have frequently endeavoured to obtain the same, one of y^e^ s^d^ Constitutions declares the eldest Proprietor in age for the time being to be the Palatine, and y^t^ he and any Three of the Proprietors may appoint Govr^s^ and Execute other Powers therein mentioned & another of those Constitutions provides y^t^ in case of the Death of any Proprietor without Heirs y^t^ then y^e^ remaining Proprietors may grant such Propriety in manner therein directed which takes away the Right of the Crown by Escheat without y^e^ least power in the Charter for that purpose, for some time past y^e^ Proprietors have thought fitt to Deviate from the aforesd^s^ Constitutions & to Elect the Palatine, and Ld^s^ Carteret is now Palatine by Election, and Mr^s^ Hutcheson is the Oldest in age of the Present eight Proprietors

6 July 1715 The Proprietors by their Lre to the Ld^s^ Commr^s^ of Trade & Plantations acquaint y^e^ Board of their having rec^d^ an Account of the Deplorable condition his Majesty's Subjects in the said Province were in, and then own their Inability to relieve them in these Words (viz^t^) We the Proprietors have mett upon this Melancholy occasion and to our great

Grief

Grief find yt wee are unable of ourselves to afford suitable assistance in this juncture & unless His Majesty will graciously please to Interpose by sending Men Arms and Ammunition We can foresee nothing but the utter Destruction of his Faithfull Subjects in these parts. The Honble Charles Craven Esqr our Govr of South Carolina has behaved himself as a man of Quality ought, with the utmost Bravery & to his Conduct it is owing yt the Country is not already taken by ye Enemy, we would most willingly give at our Board sufficient Security to repay the Governmt such sums of Money as shall be expended upon this necessary occasion If some of our Members particularly his Grace the Duke, and yr Rt Honble Lord Craven could by reason of their Minority be bound whatever assistance is by His Majestys Goodness afforded we hope may be speedily sent &c

15 July 1715. And the Proprietors in another Lre to the Lords of Trade dated yr 15th of yr same July in answer to some Queries sent them by the Board of Trade (Jan 20) Expresse themselves thus (Virt) If the Lords who are not minors should surrender for themselves that would give the King no better Title then he has already for the

the Minors would still subsist, and that in case ye Sums advanced as aforesd by His Majesty shall not in a reasonable time be repaid He humbly conceive his Matie will have an Equitable Right to take the Governmt into his immediate protection according to these requests of the Proprietors ye Crown was at a very great expence in protecting Carolina no part of which hath to this hour been repaid, Nor is it presumed from ye largeness of the same ever will.

The Proprietors having thus wholly neglected the welfare and good Governmt of the said Province, and having not perused or observed any one part of the Charter, and refused giving the Province any Assistance or Protection when they were in danger and distress and by their repeated Lies to the Government here owned their Inability to defend the same, The people forced thereto by absolute necessity as the only means to preserve so Valuable a Province to the Crown in the year One Thousand Seven hundred & Twenty withdrew themselves from the confused & helpless Governmt of the Proprietors and absolutely renounced the same and set up a Govr under the Crown & Immediately acquainted the Crown herewith laying before the Crown the necessity of this proceeding and humbly

praying

praying yᵉ Crown to take them under their own Immediate Government.

11 Augᵗ 1726. The Proprietors at yᵉ same time Petitioned the Crown agᵗ the Province for so violent a Proceeding. On which Petition by Order of Councill of this Date their Excellencys the Lords Justices takeing into consideration yᵉ great Importance of the Province of Carolina both with regard to its own product, And as it is a Frontier to his Majestys Provinces in the Continent of America & the Imminent danger of its being lost in the then Critical Juncture by the Confused state of its then Government Ordered that the Government of the sᵈ Provinces should be taken forthwith Provisionally into the hands of the Crown, and that yᵉ Lords Comᵐʳˢ for Trade & Plantations should prepare a Comicon & Instructions for a Govʳ to be appointed by his Majesty, and which were prepared accordingly & Francis Nicholson Esqʳ Immediately appointed Provisional Govʳ of the Province under the Crown, who has ever since Continued Govʳ under the said appointment of yᵉ Crown.

7 Sept. 1720 By Order in Councill on hearing Mr Attorney & Sollr Generall on behalf of the Crown It was ordered yᵗ Sr Robt Raymond his Maties then Attorney Generall should forthwith

forthwith bring a Scire facias for vacating the Lres Patents, made by King Charles the Second to the Proprietors of the said Province of Carolina & for resuming the same unto the Crown.

Note this Scire facias was never Issued.

About a Year since ye Proprietors of Carolina Petitioned his Majesty in Councill to be restored to their Right of Governmt (as they represented it) and then recommended Col. Horsey for his Maties approbation to Govern South Carolina under their Comicon as formerly This was strongly insisted on by the Proprietors, and as strongly opposed by the Inhabitants of the Province & their Agent here, who addressed & Petitioned his Majesty to be Continued under the Royal Protection and Government of the Crown.

But just as the Matter was comeing to be Urged before the Lords of the Council and after the Province had Instructed Councill the Proprietors seemed to waive Insisting on their appointing a Governor, as they had before insisted but desired by another Petition that his Maties Provisional Govr might be Instructed to Continue such Officers in their respective Employments as they by their Charter had right to appoint.

So that here they agree his Majesty may send a

a Provisional Govr provided they the Proprietors might have the appointment of all the Officers, But this was also opposed, whereupon the Proprietors apprehending very probably from the nature of the request that it would not be granted, they contrived how to do their business another way, for which purpose they granted Patents under the Seale of the Province, for life or Quam diu &c, Intending by this means to Anticipate the appointment of the Crown.—

They had before this caused all the best land in ye Province to be laid out in Tracts of 12000 Acres each to ye quantity of upwards of 60000 Acres for each Proprietor, which they granted Reciprocally to each other, Containing above 100 miles in length, and of the very best land in the Province, and ever since refused to part with any Land to any new comer, and ye taking up such a Tract to themselves which they have never since Settled or Cultivated discouraged Peopled applying for any Grants since it must be of Lands above 100 miles distant from any Settlement.—

Having thus previously prepared matters so as to secure themselves and friends in all Events four of the said Proprietors and James Bertie Esqr as Proxy to

to the Dukes of Beaufort one other of the sd Proprietors and who is a Minor a few weeks since waived all their former pretensions either of appointing Officers or to the Government Provided the Crown would appoint the person they recommended, and signed a formal Proposal to Surrender the Government of the said Province absolutely to yr Crown. —

The View of these Five Proprietors herein was plainly to have a Govr who should approve of all they have already done & continue all their Creatures in Offices &c, So as in reality it would be the Proprietors Governmt Still, tho' Nominally the Governmt of the Crown That since the said Proposal, — yr sd five Proprietors have Preferred another Petition to His Majesty in Councill Setting forth that they adhered to their sd former Proposal but in regard that could not be Immediately effected, they insist on their Nomination of a Govr over the said Province according to their undoubted right under the Charter, and accordingly recommended Col. Horsey as such to His Majesty for his Approbation The other Proprietors who are for acting with the utmost openness seeing thro' yr proceedings of the said five Proprietors refuse to concurr wth them and are desirous His Majesty

should

should send a Provisional Govr as heretofore such as he sees proper, being sensible ye Affairs and present condition of the Province requires a Govr to be Immediately sent over by ye Crown, and it is not doubted but they will then effectually enter into measures with ye Govr for putting both the Government & the Soil into ye hands of the Crown. —

The Proprietors thus disagreeing amongst themselves the Lords of the Committee have directed the said Charter & Fundamentall Constitutions to be laid before Mr Attorney & Sollr General who are to report it in whom ye right of appointing a Govr for ye Province of Carolina is.

That upon this State of the Case it is submitted whether it does not plainly appear ye there is a necessity for ye Crown's continuing this Province under the Royal Government & Protection.

For first The same Reasons now subsist & remain wth equal Strength for the Crown's continuing ye Province under their own Immediate Governmt as appeared sufficient in the year 1720 for ye Crown at first to resume the Governmt into their own hands, and the Proprietors by their above Lres admitt ye Crown have an equitable Right to have ye Government in their own hands

hands in Lein and on Acct of the great Sumes expended by the Crown in their Defence & Protection thereof and it must be admitted ye Proprietors are wholly unable to yeild ye Province any Protection (which is ye main end of Government) either agt ye Spaniards or their Enemy Indians or from the Depredations & Insults of Pyrates. It is also self evident in what a distracted & Confused Condition the Province must be should the unsupportable Greivance of a Proprietory Governmt return upon them and then the present Situation of Affairs with Spain seem loudly to cry out agt such a helpless Government.

Secondly. If the above reason was to be laid out of the Case and the present question to be Considered on the Foot of ye Charter It seems evident that by virtue of the Powers in the Charter all ye Eight Proprietors must Concurr in the Nomination of a Govr and they not concurring in the present case, there seems a necessity for the Crown to continue their Care of this Province by nameing a Provisional Govr since otherwise they must be without any Govr at all.

Thirdly. If the said Fundamentall Constitutions had force enough to control the Charter then under them ye

Concurrence

concurrence of Ld Carteret as Palatine elected, or of Mr Hutchinson as ye Eldest Proprietor in Age must be had to ye Nomination and Appointment of a Governor whereas they both disagree wth the five, & consequently no Govr can under these Fundamentall Constitutions be at present appointed by ye Proprietors So ye if this Disagreemt among ye Proprietors ye Concurrence of all the Eight cannot be had (as by ye Charter is required) Nor the concurrence of ye Palatine & three Proprietors (as by ye Fundamentall Constitutions is required) in the Nomination & appointt of a Govr (which is the present case) Then from the plain Necessity of the case it is apprehended the right of appointing a Govr is absolutely in the Crown since otherwise ye Province must remain without a Govr.

Note also In case a Majority of the Proprietors Exclusive of the Palatine could conclude ye rest wch for the above reasons it is apprehended it will not, yet it is conceived such majority have not agreed in Nominating a Govr, for tho' Five have signed their Names as Proprietors recomending Col Hornsey, yet ye Duke of Beaufort & ye Two Mr Berties are of those Five and how far ye Duke of Beaufort signing can be of any avail is Submitted in regard to his being a

a Minor & under Age and as to ye two Berties it is conceived neither of them have a clear right to ye Proprietorship /

Mr James Bertie claiming ye which was Originally ye Proprietorship of Edward Earl of Clarendon whose Title stands thus /

1672 The Earl of Clarendon conveyed his Proprietorship to his son Edward Lord Cornbury and his Heirs.

Oct. 1672 Lord Cornbury. Then Earl of Clarendon Conveys ye same to Seth Southwell Esqr and his Heirs. /

Seth Southwell acted as a Proprietor many years and in 1690 dyed without making any Disposition of his Proprietorship & without leaving any Heir, By which it is conceived this Proprietorship Escheated to the Crown but notwithstanding /

29 Sept 1697 The then Palatine and two of the Proprietors by Deed Poll reciting the Charter and ye Constitutions, and Seth Southwells death without heirs, No one making any Claim as such therefore to supply such vacancy they chose and appointed Thomas Amey Esqr to be one of the Hereditary Proprietors of Carolina in the room of Seth Southwell, and declares the said Thomas Amey by virtue of such Choice to be ye

March 14 1697 eighth Proprietor. To hold to him his Heirs & Assigns

But

But as by ye Constitucons the Palatine and three Proprietors were necessary to join in such an Act as this to make up the Number, By another Deed Poll taking notice of the Charter Constitutions & said last instrument one other of the Proprietors chooses Thomas Amey to be the Eighth Proprietor in the place of Seth Southwell Habend to him and his heirs & Assigns.

Note. This Proprietorship was intended to be in Amey in Trust for the Seven Proprietors, and not to be in him in his own Right however. -

20 Mar 1700 By Deed Poll Inrolled in Chancery recitting the matters aforesaid Thomas Amey as a Marriage portion for Anne his Daughter then married to Nicholas Trott Grants and Assigns ye said Proprietorship to the said Nicholas Trott and ye heirs of his body by ye said Anne & his Heirs and Assigns for ever. —

Mr Henry Bertie claims ye Proprietorship (which was Originally Sr Wm Berkeleys) which was also vested in Thomas Amey in Fee and under him came to ye said Nicholas and Anne Trott.

But note Thomas Amey was also a Trustee in this Proprietorship (which was Originally Sr Wm Berkeleys)

for

for four of the real Proprietors who sold the same to one Archdale, whose Daughter one Dawson married and had this Proprietorship with her as her Marriage Portion.

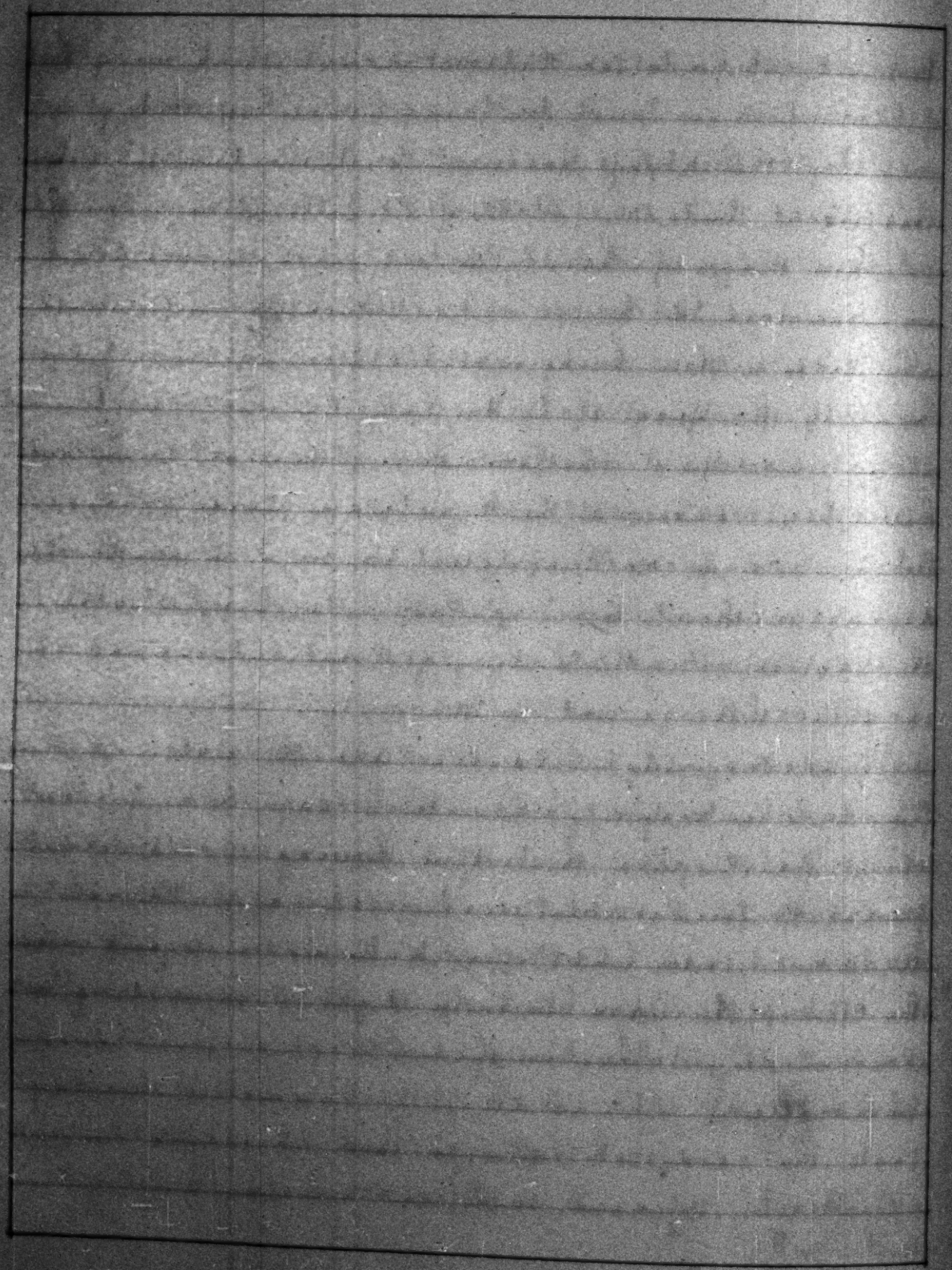
Note also Amey being a bare Trustee with both ye Ld Proprietorships ye real Proprietors after Ameys having acted as a Proprietor for 20 years & upwards refused to lett him continue to Act any longer as a Proprietor upon wch Amey in his life time & the said Trott since set up large Demands for Ameys trouble and Acting during the time aforesd and filed his Bill in Chancery here agst Dawson and his Wife for the same and a decree was pt on Dawsons paying what ye Court allowed Trott for such his Trouble & Expences Trott should convey both the said Proprietorships to Dawson, But he being poor and unable to pay the same the said two Proprietorships were sequestred and afterwards ordered to be sold before a Master under which order Trott had the same sold & confirmed to him in consideration & satisfaction of part of what is due to him from which Decree and Orders, Dawson being dead his Widdow has appealed to the House of Peers which Appeal stands for hearing next Sessions.

Mr Trott and his Wife have conveyed the two

Proprietorships

Proprietorships to Mr Watson and ye which was ye Earl of Clarendons in Trust for James Bertie Esqr and ye wch was Sr Wm Berkleys in Trust for Henry Bertie Esqr Upon this short but true state of the Title it is submitted whether either of the sd Berties can be considered as Proprietors. The Decree under which Trott purchased who sold to them being appealed from and under Judgement of the House of Lords. And till that is determined it is uncertain whether either of them are Proprietors But it is conceived to be cetream plain Mr James Bertie can be no Proprietor, for on Seth Southwells dyeing without Heirs ye Proprietorship Escheated to the Crown notwithstanding ye Constitutions, and if so then there is not a Majority.

Note. If a Majority could conclude the rest, and those five were a Majority then there could be no further room for dispute these Five having signed formal proposals for an absolute Surrender of the Governmt to the Crown, under which offer to surrender if good without the rest of the Proprietors the Right of appointing Govr is absolute in the Crown. —

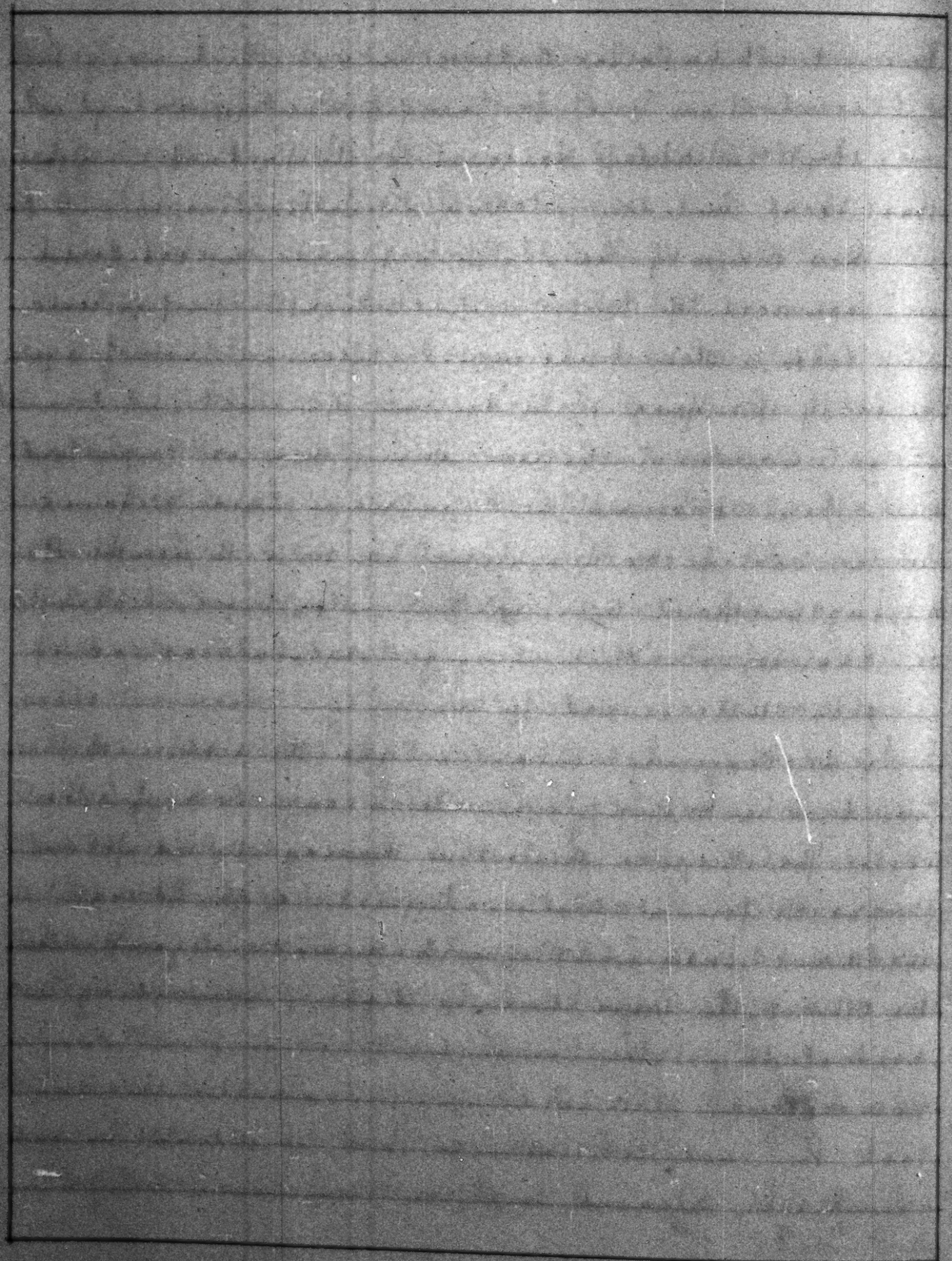


B.P.R.O. So. Carolina B.T. Vol. 14. H. 86.

(2 Dec. 1746.)

By the Right Honourable the Lords of the Committee of Council for Plantation Affairs.

His Majesty having been pleased by His Order in Council of the 17th of last Month to refer unto this Committee the humble Petition of Thomas Lowndes humbly praying that His Majesty will give his Royal Orders to the Governour Surveyor General and all other Officers of the Province of South Carolina whom it may concern, directing them to accept of a surrender of any Grant or Grants for a Tract or Tracts of Land in the said Province not exceeding 12000 Acres, and to permit the Person or Persons surrendering such Grant or Grants to cover the Lands which did thereunto belong with a Grant of the Petitioners for Twelve thousand Acres, all Arrears of Quit rent being first paid and all proper Entries and Memorandums being made in the Office of Surveyor General and other Publick Offices, to prevent any Fraud, or undue Practice from being committed - The Lords of the Committee this day took the said Petition into their Consideration, and are hereby pleased to refer the same (a Copy whereof is



B.P.R.O So Carolina B.T. Vol 14. H. 86.

(2 Dec. 1746.)

By the Right Honourable the Lords of the Committee of Council for Plantation Affairs.

His Majesty having been pleased by His Order in Council of the 17th of last Month to refer unto this Committee the humble Petition of Thomas Lowndes humbly praying that His Majesty will give his Royal Orders to the Governour Surveyor General and all other Officers of the Province of South Carolina whom it may concern, directing them to accept of a surrender of any Grant or Grants for a Tract or Tracts of Land in the said Province not exceeding 12000 Acres, and to permit the Person or Persons surrendering such Grant or Grants to cover the Lands which did thereunto belong with a Grant of the Petitioners for Twelve thousand Acres, all Arrears of Quit rent being first paid and all proper Entries and Memorandums being made in the Office of Surveyor General and other Publick Offices, to prevent any Fraud, or undue Practices from being committed - The Lords of the Committee this day took the said Petition into their Consideration, and are hereby pleased to refer the same (a Copy whereof is

is hereunto annexed) to the Lords Commissioners for Trade and Plantations, to consider the same, and Report their Opinion thereupon to this Committee.

Temple Stanyan.

Read Dec^{r} 9th 4^{h} }
Read — 9th } 1746.

(Enclosure)

(Enclosure.)

To the King's most Excellent Majesty in Council.

The humble Petition of Thomas Lowndes Sheweth.

That Your Petr is possessed of a Grant for Twelve Thousand Acres of Land in South Carolina bearing date the 25th day of October 1736 at the Yearly rent of One Penny Sterling payable at the Royal Exchange of London.

That Her late Majesty the Queen being Guardian of Great Britain and Your Majesty's Lieutenant within the same, was (upon proper application) graciously pleased to grant her Royal Order bearing date the Ninth day of July 1735, that the said Twelve thousand Acres of Land should be surveyed and set out to Your said Petitioner his Heirs and Assigns in Squares or Plots, not less than Five hundred Acres each, subject to the established Regulations of Survey and the several Instructions given to Your Majesty's Surveyor of South Carolina.

That upon breaking out of the present War with Spain, it was intimated to Your Petr, that if he could propose a method, how the Provincial

Bills

Bills of Credit (commonly called Paper Money) of America might be regulated, it should be regarded as a Publick Service. Whereupon Your Petitioner applyed himself with great Zeal to study that Point. And after some time did draw up a Regulation of the said Paper Money to the Satisfaction of all Persons interested therein and copys of the said Regulation were presented to the then President of Your Majestys Privy Council, to the Lords Commissioners for Trade and Plantations and to the Honourable Mr. Monson then Deputy Paymaster of Your Majestys Land Forces.—

That your Petr therefore most humbly prays Your Majesty to give Your Royal Orders to the Governor, Surveyor General and all other Officers of Your Province of South Carolina whom it may concern directing them to accept of the Surrender of any Grant or Grants for a Tract or Tracts of Land in the said Province not exceeding Twelve Thousand Acres and to permit the Person or Persons Surrendering such Grant or Grants to cover the Lands which did thereunto belong with Your Petrs abovementioned Grant. All arrears of Quit Rent being first paid, and all proper Entries or Memorandums being made in the

Office

Office of Surveyor General and other Publick Offices to prevent any Fraud or undue practice from being committed.

And your Petr as in Duty bound shall ever Pray &c.

Thos Lowndes.

B.T.P.O. So Carolina B.T. Vol 27 f. 110.

(Rec. 17. 1746.)

To Thomas Corbett Esqr Secry
to the Lords Comrs of the Admiralty.

Sir,

My Lords Commissioners for Trade and Plantations having lately received a Letter from Mr Glen Governor of His Majesty's Province of South Carolina I am commanded by their Lordships to send you the inclosed extract of the said letter, and to desire that you will be pleased to lay the same before the Lords Commissioners of the Admiralty

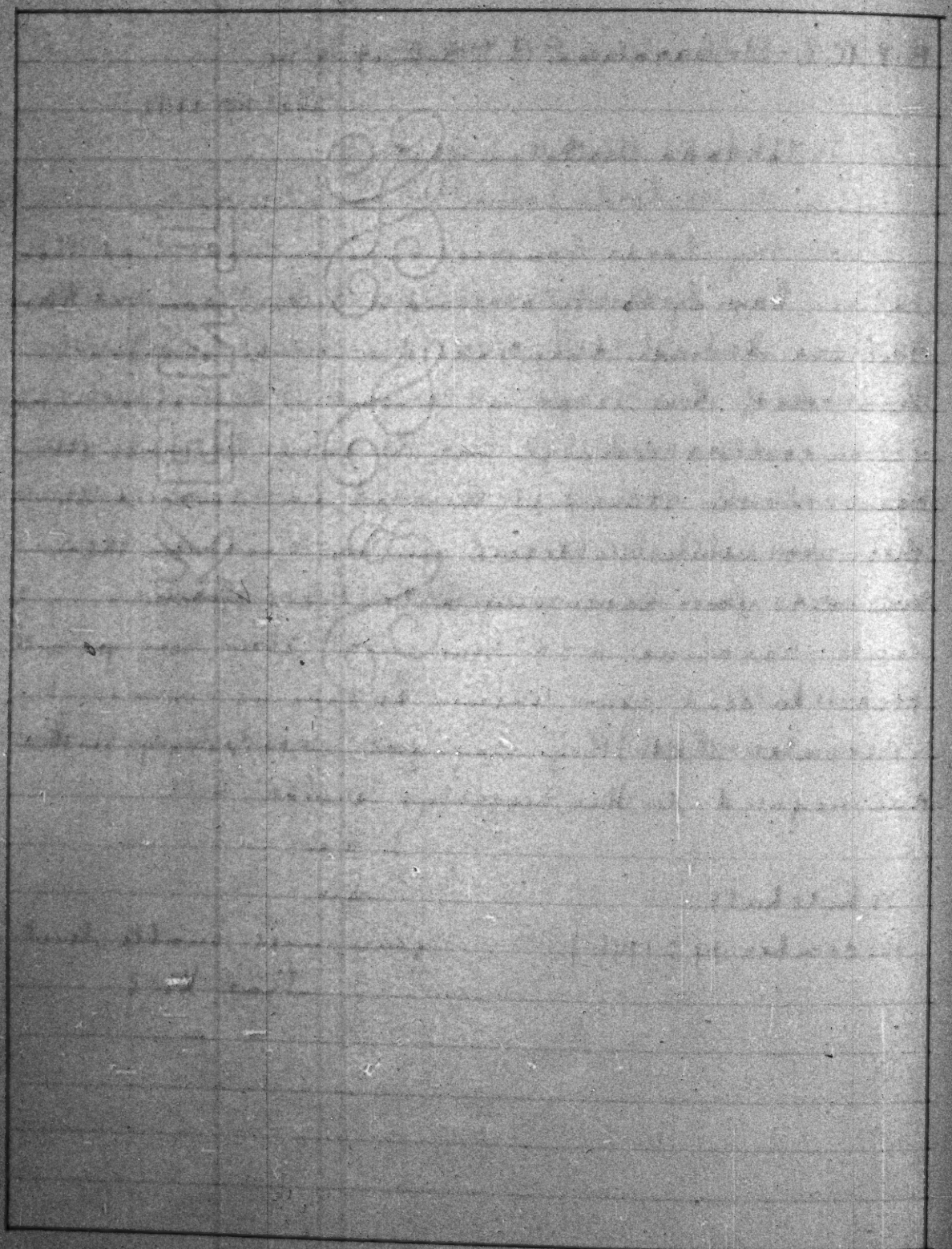
I am

Sir

your most humble Servt

Thos Hill.

Whitehall
December 17th 1746



B.P.R.O. So Carolina B.T. Vol 27. p. 110.

(Dec. 19. 1746.)

To John Colleton Esqr

Sir,

My Lords Commissioners for Trade and Plantations having lately received a Letter from Mr Glen Governor of South Carolina, wherein he acquaints them, that there is not at present a sufficient numbr of Councillors resident in the said Province to carry on the Business there, I am directed by their Lordships to desire you will inform them whether you have any intentions of returning to South Carolina, and how soon. They hope you will please to send your Answer as soon as conveniently you can, that they may act accordingly, with due regard to His Majestys Service.

I am

Sir

your most humble servt

Thos Hill.

Whitehall
December 19th 1746

B.P.R.O. S.Carolina B.T. Vol. 14 N. 90.

Upper Brook St Decr ye 17: 1746.

Sr

I last Night Recd the favour of yours and should Readily attend their Sd Lps at the time you mention, but my indisposition has been such for some weeks past that I am but now just able to walk across my Room - but as soon as I'm able will do myself the honr of waiting on their Sd Lps

I am

Sr

Yor most Humble Servt

Jno Fenwicke

Recd
Read } Dec. ye 17th 1746.

B. P. R. O. So Carolina B. T. vol 14 N. 91

Upper Brook Street Dec.r 22d 1746.

My Lords,

I am very sorry my Indisposition should prevent my personal attendance on your Lordships, in regard to the subject matter of the two letters lately received from Mr. Hill yor Secretary but as yor Lordps are pleased to require that I should acquaint yow by a Line, whether I have any intention to return to So Carolina & how soon, I can only now inform yor Lordps that as I find I am still subject to the disorders wch I have been long afflicted with, I cannot therefore determin when I shal go again to that Province, especially whilst ye War continues. And least his Majestys Service should suffer by my being longer absent from the Council Board in Carolina I am very willing (on yor Lordship's approving thereof) to resign my seat there, Humbly Intreating yor Lordps at ye same time, to give me leave to Recomend my only Son to yor Favour, in obtaining his Majestys Sign Manuel to fill my place as one of His Majestys Council in So Carolina. I shall not trouble Yor Lordps with any of his Qualifications other than that I think it necessary to acquaint yow, that he is 26 years of

age

age, now fixed & already in Possession of a good Estate in So Carolina. And that by his Sobriety & other agreable Qualities, he gives one the greatest satisfaction & assurance of his future good Conduct, by wch I cannot doubt of his discharging his Duty to his Majesty & his Country, with Integrity and Credit, should he have the Honour to be appointed in the Office.

If my unwearied Endeavours for his Majesty's Service (in the several Stations I have been honoured with) should give me a place in yor Lordsps esteem, So as to grant me the Favour which I now humbly request in behalf of my son, I shall then retire from all publick employments with pleasure and Satisfaction and ever gratefully acknowledge yr Honr you do me, and that I am

My Lords

yor Lordships most obliged & faithfull humble Servant

Jno Fenwicke.

Bs Sq

I shal waite yor Lordships pleasure on this affair and as there is a Man of Warr wil sail for Carolina about a Month hence, I shal be ready to receive any Commands wch yor Lordps may have occasion to send by that opportunity & shal deliver them safe to yr Captain

Rec.d Read Dec 22d 1746.

B.P.R.O. S. Carolina B.T. Vol. 14. H. 92.

Exmouth Decr 29th 1746.

Sr

I am favoured with yours of the 10th Instant which delayed answering till now, in hopes of giving my Lords Commissioners for Trade and Plantations a full and Satisfactory Answer, having a week before the Receit of Yours, wrote to London, to see if I could possibly so settle my Business here, as to go with the present Convoy; my own private affairs as well as His Majesty's Service calling me to South Carolina I have not such an answer as I could wish so that I can only desire you, with my Due submission to their Lordships, to inform them, that I absolutely design to return, as soon as I can with any Tolerable conveniency to myself having all possible regard to His Majesty's Service, but fear shall not be able, tho' very desirous of it, to go with this Convoy. Therefore doubt not but their Lordships Goodness will overlook what I cannot help. I am with all due Regard to their Lordships

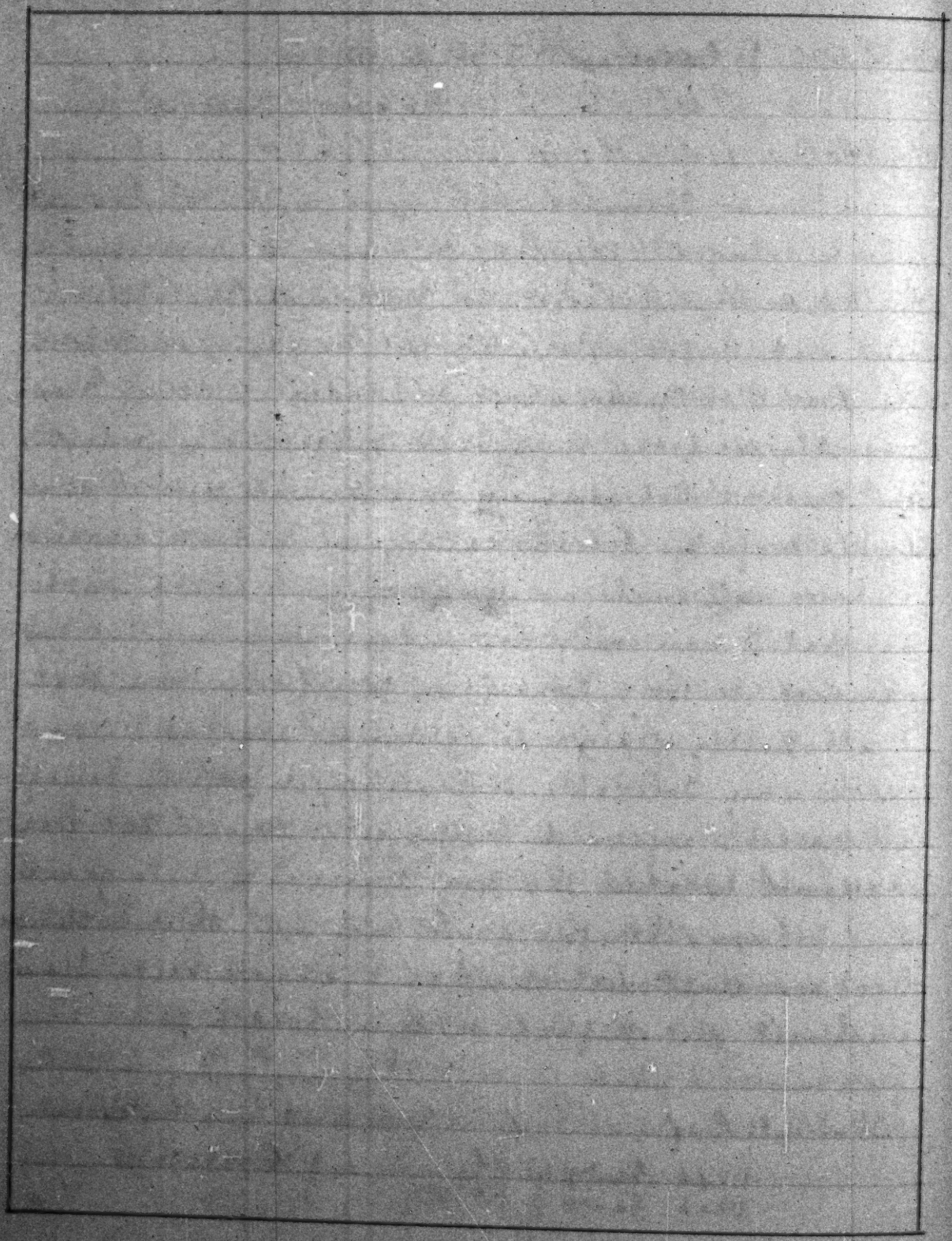
Sir

Your most humble Servant

J. Colleton.

Thos Hill Esqr

Recd Jany ye 5th
Read Jany ye 13th } 1746/7



Journals
1747

B. P. R. O Journals B T Vol 55

Whitehall 13th January 1747

At a Meeting of His Majestys Commissrs for Trade & Plantations

Present

Lord Monson

Mr Plumer, Mr Pitt, Mr Leveson Gower, Lord Dupplin, Mr Jane

Read a Letter from Mr Colleton One of the Council of South Carolina, dated at Exmouth in Devonshire Decr 29th 1746 in answer to one from the Secretary of this Board, relating to his Return to his Seat in the Council of that Province.

- - - - - - - - -

14th January 1747

Read a Letter from Mr George Hunter, Surveyor General of His Majestys Lands in South Carolina also Inspector and Comptroller of His Majesty's Quit Rents &c to the Board, dated at Charles Town Sept 1st 1746 inclosing the following Papers, viz.

Copy of Mr Hunters Petition to Mr Glen, Governor of South Carolina, dated Janry 9th 1745/6.

Extracts of Minutes of Council of South Carolina, dated 24th Janry 1745/6 concerning Mr Hunter's Petition

List of Grants passed in South Carolina, from the 29th of April to the 30th of October 1745 Repat No 5.

List

List of Grants passed in South Carolina, from the 29th of April to the 30th of October 1745 Report No 5

List of Grants passed in South Carolina from the 29th October 1745 to the 30th of April 1746 Report No 6

Ordered that Copies of the said Letter of Mr Hunter's Petition to Governor Glen & of the Extract from the Minutes of Council be prepared, and that the same be sent with a Letter from the Secretary to Mr Scrope Secretary to the Lords Commrs of the Treasury in Order to be laid before that Board.

- - - - - - - -

Read a Letter from John Beare to David Godin dated Lisbon Septr 6th 1746, signifying that Mr Hill one of the Council of South Carolina died in that City the 13th of August last, which was presented to the Board by Mr Morley

- - - - - - - -

22nd January 1747

The Secretary laid before the Board the following publick Papers transmitted from South Carolina to Mr Jury Agent for the Province viz.t

Minutes of Council from the 17th of Decr 1743. to the 13th of Decr 1745.

Journal of the Upper House of Assembly, for the years

Years 1744 & 1745.

Journal of the Assembly from the 20th of Febry 1743-4 to the 17th of June 1746

Twenty three Acts passed in South Carolina between March 1744-5 & June 1746.

Ordered that the said Acts be sent to Mr Lamb, for his Opinion thereon in point of Law

The Draught of a Letter to his Grace the Duke of Newcastle with a State of the Council in South Carolina, received with a Letter from Govr Glen of the 4th of Octr last, was ordered to be prepared.

23rd January 1747

The Draught of a Letter to his Grace the Duke of Newcastle, mentioned in the preceeding Minute, was laid before the Board, transcribed and signed.

* * * * * * * *

3rd February 1747

Read a Memorial of Colo Fenwicke appointed by the Council & Assembly of South Carolina to solicit his Majestys Approbation of an Act lately passed in that Province for emitting and making Current the Sum of £210 000 in Paper Bills of Credit to be let out at Interest &c, desiring the Board to report the same to his Majesty for his Royal Confirmation.

Agreed

Agreed to take the said Memorial into Consideration as soon as the Board shall receive Mr Lambs Opinion upon the Act mentioned in the said Memorial.

* * * * * * * *

10th February 1747

Ordered that two Draughts of Representations to the King be prepared, recommending Edward Fenwicke Esq to be of the Council of South Carolina in the room of Richard Hill Esq. deceased, and Hector Beringer de Beaufin to be of the said Council in the room of John Fenwicke Esq who has resigned

* * * * * * *

11th February 1747

The Draught of two Representations to his Majesty ordered by yesterdays Minutes, recommending Edward Fenwicke & Hector Berenger de Beaufin Esqr to be of the Council of South Carolina, were agreed to & signed.

* * * * * * * * *

3rd March 1747

The Board took into Consideration the Order of the Lords of the Committee of Council referring the Petition of Thomas Lowndes, mentioned in the Minutes of the 9th of Decr last. & ordered a Report thereupon to be prepared.

5d

5th March 1747

The Draught of a Report upon the Reference of Thomas Lowndes' Petition, ordered to be prepared by the Minutes of Tuesday, was laid before the Board, agreed to, & ordered to be transcribed; as was likewise the Draught of the Letter to the Duke of Newcastle ordered to be prepared by the Minute of yesterday

21st May 1747

The Draught of a Letter to Gabl Johnston Esqr in answer to two received from him, was laid before the Board, & Ordered to be transcribed, as was likewise the Draught of a Letter to James Glen, Govr of South Carolina.

21th May 1747

The Draught of a Letter to James Glen Esqr Governor of South Carolina, ordered to be transcribed by the Minutes of the 21st instant was signd as were likewise those to the Governor of North Carolina & John Hamilton Esqr Eldest Councillor of New Jersey, mentioned in the Minutes of the 20th & 21st of this Month.

21st

21st July 1747

Read a Letter from Mr Glen, Governor of South Carolina, to the Board, dated April 20th 1747 giving an Account of the Distresses of the Colony, with the Causes thereof, and proposing some Remedies thereto. mentioning likewise the good Correspondence subsisting at present between that Colony and the Indians.

Ordered that an Extract be made of so much of the said Letter as relates to the Indians, and the Draught of a Letter prepared for transmitting the same to the Duke of Newcastle.

22nd July 1747

Read two Letter from Mr George Hunter, Surveyor General of His Majestys Lands in South Carolina & Inspector & Comptroller of His Majesty's Rents &ca to the Board, one dated Dec. 24th 1744 the other May 1st 1745. inclosing the publick Papers of his Office & complaining that Mr Saxby Receiver General refuses payment of his Salary. & desiring the Board's Intercession with the Lords of the Treasury in his favour, & transmitting.

An Account of the Business done in the Surveyor Generals Office of South Carolina from the 29th of April to the 30th of October 1744 Report No 3

List

Lists of Grants passed in South Carolina, from the 29th of April to the 30th of October 1746 Recorded in the Secretarys Office Report N° 3.

Lists of Grants passed in South Carolina, from the 29th of October 1746 to the 30th of April 1746. Recorded in the Secretary's Office Report N° 4.

An Account of Plats delivered out of the Surveyor Generals Office of South Carolina from 29th Oct.r 1746 to 30th of April 1746. Report N° 4

An Account of the Precepts issued from the Surveyor Generals Office in pursuance of the Governors Warrants of Survey, from the 29th Oct 1746 to the 30th April 1746 Report N° 4

Ordered that the Secretary do transmit to the Secretary to the Lords Commiss.rs of his Majesty's Treasury so much of the above two Letters as relates to the Deficiency in the payment of the Salary of the Surveyor General, in order to be laid before their Lordships.

The Draught of a Letter to his Grace the Duke of Newcastle, for inclosing an Extract of Mr Glen's Letter to the Board, having been prepared, as ordered by yesterday's Minutes, was laid before the Board, agreed to, transcribed & Signed.

6th

* * * * * * *

6th August 1747

Read a Letter from the Duke of Newcastle, dated the 30th of July 1747, signifying his Majestys Pleasure, that this Board do take into Consideration a Proposal made by the Cherokee Nation of Indians to Mr Glen Govr of South Carolina, relating to a Fort which the said Cherokee Indians have desired may be built in their Country, to keep the French from coming amongst them

* * * * * * *

11th August 1747

The Board took into Consideration a Letter from his Grace the Duke of Newcastle, relating to a Proposal for building a Fort in the Cherokee Country mentioned in the Minutes of the 6th instant & Ordered a Representation thereupon to His Majesty to be prepared.

* * * * * * *

12th August 1747

The Draught of a Representation to His Majesty recommending the Proposal for building a Fort in the Cherokee Country, as also the Draught of a Letter to his Grace the Duke of Newcastle for inclosing the

same

same having been prepared as ordered by yesterday's Minutes were agreed to & ordered to be transcribed.

\+ \+ \+ \+ \+ \+ \+ \+ \+

Read Mr Lambs Report upon Twenty three Acts passed in the Province of South Carolina in 1745 & 1746 and the said Acts being taken into Consideration.

Ordered that a Representation to His Majesty be prepared proposing the Repeal of an Act for enlarging the Qualifications of the Electors as well as of the persons to be elected to serve as Members of the General Assembly of that Province passed in South Carolina in May 1746.

\+ \+ \+ \+ \+ \+ \+ \+ \+

13th August 1747

The Draught of a Representation to his Majesty upon the Act passed in the Province of South Carolina in May 1746. ordered to be prepared by the Minutes of yesterday was laid before the Board agreed to, transcribed & signed.

The Draught of a Representation to his Majesty upon the Duke of Newcastle's Letter ordered to be transcribed by yesterday's Minutes, was laid before the Board & signed, as was likewise a Letter to the Duke of Newcastle inclosing the same.

ncl

14th October 1747

Read an Act passed in the Province of South Carolina in June last Entituled An Act to impower two Justices and three Freeholders or a Majority of them to determine in all Actions of Debt where the Matter in Dispute doth exceed Twenty Pounds Current Money which is now equal to Four Pounds Proclamation Money and is not more than Seventy five Pounds Current Money which is equal to fifteen Pounds Proclamation Money which was received without any Letter and ordered the same to be sent to Mr Lamb for his Opinion thereon in point of Law.

20th October 1747

Read a Letter from Mr Colleton, one of the Council in South Carolina dated at Exmouth in Devonshire the 29th of August 1747 signifying his Design to return to that Province by the first safe Conveyance, in answer to a Letter from the Secretary of this Board upon that Subject mentioned in the Minutes of the 1th of August last.

Read a Petition of George Morley Esqr Provost Marshal of the Province of South Carolina & of James

Wedderburn

Wedderburn Esq. Clerk of his Majestys Court of Common Pleas in the said Province on behalf of themselves & others the Officers & Ministers of the said Court against An Act passed there in June 1747 impowering two Justices & three Freeholders to determine small Suits; and agreed to consider the same as soon as the Act mentioned in the said Petition shall be received from Mr Lamt

* * * * * * *

11th November 1747

The Secretary laid before the Board a Paper presented by Mr Fenye Agent for the Province of South Carolina Entituled, 'Reasons humbly offered for 'obtaining his Majestys Royal Approbation of an Act Entituled An Act to remedy some Defects in his Majesty's Rent Roll in South Carolina'.

Ordered that the said Paper do lye by for further Consideration.

* * * * * * *

24th November 1747

The Board took into Consideration the Memorial of Mr Fenye Agent for the Province of South Carolina mentioned in the Minutes of the 11th instt praying the Confirmation of an Act of that Province therein mentioned

mentioned the Secretary was directed to transmit the said Account to Mr Scrope Secretary to the Lords Commissrs of his Majestys Treasury for their Lordships Opinion thereupon.

\+ \+ \+ \+ \+ \+ \+

26th November 1747

The ten following Copies of Orders of Council were laid before the Board and the Titles thereof read Vizt.

\+ \+ \+ \+ \+ \+ \+

Copy of an Order of Council dated the 3d of June 1747 approving a Representation of this Board proposing Hector Berenger de Beaufin Esqr to supply a Vacancy in the Council of South Carolina by the Resignation of John Fenwicke Esqr.

\+ \+ \+ \+ \+ \+ \+ \+

21th November 1747

Read a Letter from Mr Hunter Surveyor General of His Majesty's Lands in South Carolina as also Inspector & Comptroller of his Majesty's Quit Rents to the Board dated Charles Town May 11th 1747, transmitting A List of Grants passed by the Governor of South Carolina from the 29th of April 1746 to the 30th of April 1747.

\+ \+ \+ \+ \+ \+ \+ \+

1st

1st December 1747

Read a Memorial from Mr Hammerton Secretary and one of the Council of South Carolina relating to his Absence from the said Province & praying to be indulged therein till March when he proposes to return.

\+ \+ \+ \+ \+ \+

8th December 1747

Read an Order of the Lords of the Committee of Council dated the 26th of October 1747, referring to this Board, the Petition of James Peyn of London Merchant praying for a Grant in his Name of Five hundred Thousand Acres of Land in the Province of South Carolina lying waste and uncultivated where it has not already been run out for other Grantees &c.

Ordered that the Secretary do write to the Petitioner to desire his Attendance at the Board on Thursday Sen'night upon the Subject of the said Petition.

\+ \+ \+ \+ \+ \+

17th December 1747

Mr Joshua Sharpe attending in behalf of Mr Peyn on the Subject of the Petition mentioned in the Minutes of the 8th Instant, acquainted the Board that Mr Peyn was absent in Languedoc procuring Persons to

carry

carry on his Design. that others were concerned in this Affair and that Mr Hamilton one of them attended without, and the said Mr Hamilton being called in, he informed the Board that he was the Principal Person concerned, and had agreed with several Jews and others in this Undertaking and that Mr Salomon de Costa was Trustee for them, whereupon the Board desired that he would attend on Tuesday next and bring with him such Persons as might give them some Assurance of his Design being carried into Execution.

\+ \+ \+ \+ \+ \+ \+

22nd December 1747

Mr Hamilton attending with Mr Sharpe his Solicitor together with Mr Salomon de Costa upon the Subject of Mr Peyn's Petition mentioned in the Minutes of the 17th instant they were called in and Mr de Costa having acquainted the Board that he and Messrs Salvador & Mendez Da Costa had agreed with Mr Hamilton for the Settlement of several of their Poor in South Carolina & Subscribed a Sum of Money for that purpose, Mr Hamilton was directed to draw up some Proposals in writing with respect to Terms whereon he desired a Grant might be made to his Associate Mr

Peyn

Peyor, and lay them before the Board at their next Meeting.

* * * * * * * *

B P R O South Carolina B T Vol 27 f m

(15th January 1704/5)

To John Scrope Esq Secretary to the Right Honble
the Lords Commissioners of His Majestys Treasury

Sir

My Lords Commissioners for Trade & Plantations having lately received a Letter from Mr George Hunter Surveyor General of the Lands and Inspector and Comptroller of His Majesty's Land Rents in South Carolina complaining of his Salary being withheld from him by the Receiver General, and desiring to be established in his office, & also inclosing the Copy of a Petition from him to the Govr and Council relating to this Affair and the Councils Resolution thereupon, I am directed by my Lords Commissioners to transmit to you a Copy of the said Letter and of the Papers therein inclosed, and to desire you will please to lay the same before the Lords Commissioners of His Majestys Treasury I am

Sir

Your most humble Servt

Whitehall
January 15th 1704/5

Hot Hill

B. P. R. O. South Carolina B T Vol 27 f. 82.

(23rd January 1704/5)

To Mathew Saint Esq

Sir

I am commanded by my Lords Commissioners for Trade & Plantations to send you the three and twenty inclosed Acts passed in His Majesty's Province of South Carolina between March 1704/5 and June 1705. And to desire Your Opinion thereupon in point of Law as soon as conveniently may be I am

Sir

Your most humble Servt

Tho.s Hill

An Act to prevent the further spreading of infectious distemper amongst the Cattle in this Province

Passed y.e 22d March 1704/5

An Act to revive and continue the several Acts therein mentioned Passed March 22d 1704/5

An Additional and Explanatory Act to An Act of the General Assembly of this Province intituled An Act for the more effectual relief of Insolvent Debtors and for that purpose putting in force, and effectually carrying into execution in this Province such part of An Act made in the Parliament of Great Britain

Britain in the Seventh Year of His present Majestys Reign intitled An Act for Relief of Debtors with respect to the Imprisonment of their persons &c.

Passed ye 25th of May 1745

An Act for enlarging the Qualifications of the Electors as well as of the persons to be elected to serve as Members of the General Assembly of this Province Passed ye 25th May 1745

An Act to direct Executors and Administrators in the manner of returning Inventorys and Accounts of their Testator, & Intestates Estates, and to restrain the usual Charges & Comissions of such Executors &c.

Passed May 26th 1746

An Act to supply the defects in the Execution of an Act intitled an Act for the Establishment of Religious Worship in this Province according to the Church of England & for erecting Churches &c.

Passed May 26th 1746

An Act to divide St Helens Parish and to erect a seperate & distinct Parish in Granvill County by the Name of Prince William &c. Passed May 26th 1745

An Act for founding and establishing a Parochial Chapel of Ease at the Town of Edmondsbury in the Parish of St Bartholomew in Colleton County &c.

Passed

Passed May 26th 1705

An Act to impower the Commissrs of the High Roads for the Parish of St John in Berkley County to make a New Causeway leading to Childsbury Ferry in the said Parish and Cutting a Water Passage through certain Lakes at the head of Black Mingo Creek in the Parish of Prince Fredrick Winyah &ca

Passed May 26th 1705

An Act for imposing an Additional Duty of six pence per Gallon on Rum imported and for Granting the same to His Majesty for the use of the Fortifications in this Province and for allowing a Discount of ten p Centum out of the Dutys on Sugars imported for wastage and to direct the manner of making Entrys of Goods & Merchandize &ca

Passed 26th May 1705.

An Act for continuing the Trust of a Lot & building in Charles Town for the use of the Antijacks Baptists Congregation meeting there for divine Service

Passed May 26th 1705

An Act for vesting the Ferry over South Edesto River known by the Name of Parkes Ferry in Jane Grange, and her Assigns for the Uses and during the Term therein mentioned &c Passed 26th May 1705

An

An Act for continuance of Process and Judicial Proceedings & for enabling the Chief Justice of this Province, Publick Treasurer and Coroner for Berkley County to draw Grand Jury Men & Petit Jury Men to serve at the next ensuing Court of General Sessions of the Peace &ca Passed January 23d 1705/6.

An Act for raising and granting to His Majesty the Sum of Forty five thousand three hundred & ninety three pounds five Shillings and three farthings and for applying the Sum of Eight thousand three hundred and Ninety three pounds seventeen shillings and one penny being the Surplus of Taxes and the Balance of several Funds in the Publick Treasury of this Province making together the sum of Fifty three thousand seven hundred & eighty seven pounds two Shillings and One penny three farthings for defraying the Charges of the Government &ca

Passed January 25th 1705/7

An Act for continuing & amending of an Act to prevent the further Spreading of the Infectious Distemper amongst the Cattle &ca And for the amending and continuing such part of an Act intitled an Act for the better Ordering & Governing Negroes &ca

Passed 23d March 1705/6

An

An Act to revive and continue the several Acts therein mentioned And to repeal that part of an Act which gives a Bounty upon Indigo intitled An Act for the further Improvement and encouraging the produce of Silk and other Manufactures &c And to repeal An Act of the General Assembly intitled An Act to encourage the making of Kemp &c And for repealing such part of an Act of the General Assembly intitled An Act for the better regulating the Port and Harbour of Charles Town &c Passed April 1st 1706

An Act for Stamping emitting and making current the Sum of two hundred and ten thousand pounds in Paper Bills of Credit &c Passed June 17th 1706

An Act to prevent Frauds and Deceits in Selling Rice, Pitch, Tar, Rosin, Turpentine, Beef, Pork, Shingles Staves & Firewood And to regulate the weighing of the several Commoditys and Merchandize in this Province Passed June 17th 1706

An Act for laying Buoys & erecting and Supporting Beacons or Land Marks near the Bar of the Harbour of George Town Winyaw &c Passed June 17th 1706

An Act for preserving the Fortifications and for appropriating certain Surplus Land in Charles Town Passed June 17th 1706

An

An Act for the better establishing and regulating of Patrols in this Province Passed June 17th 1746.

An Act for the appointment of a Powder Receiver and for the better regulating of that Office. Passed June 7th 1746.

An Act for raising and granting to His Majesty the Sum of Fifty thousand one hundred and twenty one pounds ten Shillings and two pence and for applying the Sum of Eight thousand and Sixty seven pounds fourteen shillings and eight pence being the Swaplus of Taxes and the Ballance of several Funds in the publick Treasury of this Province making together the Sum of Fifty eight thousand one hundred and eighty nine pounds four Shillings and ten pence for defraying the charges of the Government &c And for raising the Sum of One thousand one hundred & seventy four pounds Sixteen Shillings and one penny on the Inhabitants and owners of Lands in the Parish of St Philips Charles Town for the use of the Watch in the said Town. Passed 17th June 1746

B P R O South Carolina Vol 27 p 120

(23d January 1746/7)

To His Grace the Duke of Newcastle

My Lord

Having lately received a Letter from James Glen Esq: His Majestys Governor of South Carolina, dated the 11th of October 1746, containing a State of His Majestys Council of that Province, in which he acquaints us, 'that four of the Members of the said 'Council are now in England some of which have been 'absent three Years, and others near four, that two 'others have given Notice of their Intention of Leaving 'the Country early in the Spring, that another has 'applied to him for Leave to go to New York for 'the Recovery of health,' and then adds that, 'as by 'a particular Law of this Province seven Members of 'the Council must be present with the Governor to 'constitute a Court of Chancery and as such a 'Number can rarely be had some Causes have been 'depending several Years and for many Months past 'there has been a total Failure of Justice.' We take Leave to acquaint Your Grace therewith and at the same time to desire Your Grace will please to give the necessary Orders for transmitting to us a List of

such

such Members of His Majesty's Councils in the several Plantations as have His Majestys Leave of absence, for as Complaints of the like Nature have come before us from other Governments it may be necessary to make some Regulations to prevent the like Inconveniencies for the future.

We are

My Lord

Your Grace's

most Obedient and

most humble Servts

Monson

R Plumer

Dupplin

Whitehall
January 23d 1741/7

B P R O South Carolina B T Vol 27 p 121

(11th February 1746/7)

To the Kings most Excellent Majesty

May it please Your Majesty

John Fenwicke Esq one of Your Majestys Council in the Province of South Carolina, having signified to us that his ill State of health will not permit him to return to that Province and that he is willing to resign his Seat in the said Council & Hector Beringer de Beaufin Esq being recommended to us as a Person every way qualified to serve Your Majesty in that Station, We humbly take Leave to propose to Your Majesty, that he may be appointed of Your Majestys Council in the Province of South Carolina, in the room of the said John Fenwicke Esq

Which is most humbly Submitted

Monson
B Leveson Gower
R Plumer
Fran Fane

Whitehall
February 11th 1746/7

B P R O South Carolina B T Vol 27 f 122.

(11th Febuary 1764)

To the Kings most Excellent Majesty

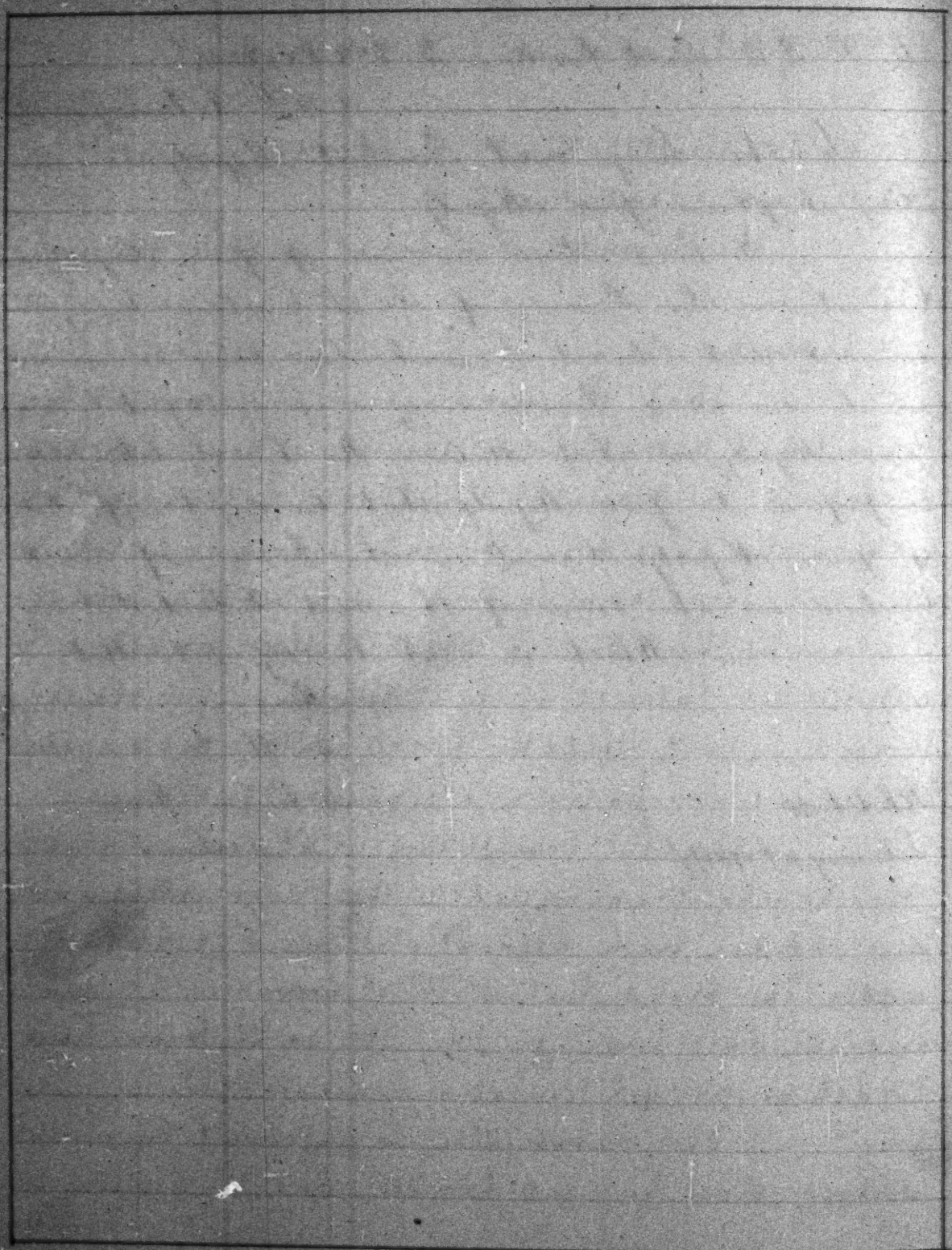
May it please Your Majesty.

Richard Hill Esqr one of Your Majestys Council in the Province of South Carolina being deceased, and Edward Fenwicke Esqr being recommended to us as a Person every way qualified to serve Your Majesty in that Station We humbly take Leave to propose to Your Majesty that he may be appointed of Your Majestys Council in the Province of South Carolina in the room of the said Richard Hill Esqr

Which is most humbly Submitted

Monson
R Plumer
B Leveson Gower
Fran Sane

Whitehall
Febuary 11th 1764



B.P.R.O. S. Carolina B.T. Vol. 14. H. 98.

(No date.) Feb 17th/7

To the Rt Honble the Lords Commissrs for Trade and Plantations.

The Humble Memorial of John Fenwicke Esqr

Sheweth,

That the Memorialist is appointed by ye Council and Assembly of ye Province of South Carolina to Solicit his Majesty's Royal approbation to an Act lately passed in the said Province, Intituled an Act for stamping Emitting & making Current the Sum of £210,000 in paper Bills of Credit to be lett out at Interest &c. But which (by a Clause therein is not to take place until His Majesty's Gracious Approbation is signified thereupon.

That a Committee of ye sd Council & Assembly having transmitted to the Memorialist a copy of ye sd Act with Credentials annexed (Certified under the Broad Seal of ye sd Province) the Memorialist does herewith lay the same before your Lordships for yor Perusal & Consideration

The Memorialist is informed by a letter received from ye said Committee that the Council & assembly

Assembly have framed ye sd Act Exactly Conformable & in obedience to His Majesty's Royal Will & Pleasure signified in His Majesty's 99th Instruction to Governor Glen, communicated to them by His Excellency Hoping thereby to have removed the two objections (mentioned in the sd Instruction) which were made to a former Act of ye like Tenour & substance, Passed in May 1736, but wch sd former Act in all other respects, seems by the sd Instruction to have been graciously approved of, by His Majesty: Agreeable to ye Lords Report set forth in that Instruction.

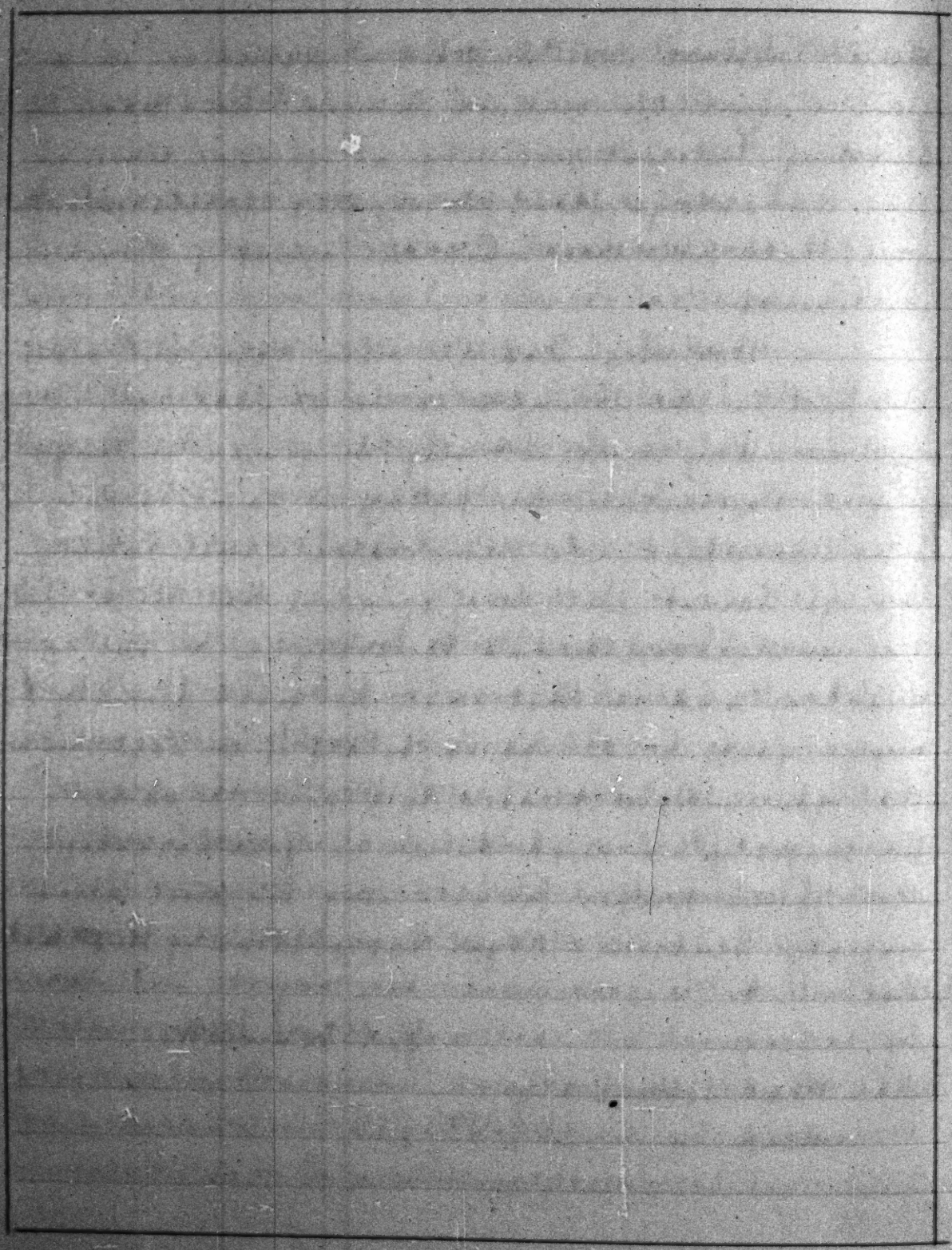
And whereas the sd Act last passed has provided a Fund of Silver and Gold, not only for paying the Interest, but also for ye gradual discharging & sinking the sd Principle sum of £210,000: in Paper Bills of Credit; and the payments thereof being also established at the comon Sterling Exchange, as near as may be to what it has governed for several years last passed between Great Britain and South Carolina, the Memorialist therefore humbly conceives it very evident, that the value of ye said Paper Bills will be fixed, and that all former Debts, & future bommerce & dealings within the

the sd Province will be paid & carried on, in a just & equitable manner between Man & Man; the Trading Interest receiving at ye same time no less advantage from His Majestys approbation of ye sd last Act than what wil attend ye Provinces in General.

For these and all other Material Reasons set forth in the Preamble to the sd last Act; as wel as many more wch may be given (too long here to enumerate) for puting the same Spedily into Execution. The Memorialists most humbly hope yor Lordsps will be of opinion that the sd last act is Reasonable and necessary to be put in practice and in that case. He most humbly prays your Lordships, in behalf of the said Province that you wil be pleased to Report the same to His Majesty in such manner as Your Lordships shal think proper for obtaining his most Sacred Majesty's Gracious & Royal Approbation of the sd last Act.

Jas. Jenwicke.

Recd Febr ye 2d
Read — 3d } 1746/7



B.P.R.O. So Carolina B.T. Vol 14 N 99.

21st Feb 1746

Sir.

I can indeed do a very considerable Service to our American Trade But why should I break my Brains, when I meet with such Treatment?

However I beg leave to acquaint the Right Honble the Lords Commissioners for Trade and Plantations that at the time of the sale of the Carolinas I was owner of Five Baronys, one in the name of John Beresford, sold to Admiral Aaron and Mr Wright One in the name of Isaac Lowndes sold to Messieurs Thorpe and De la Fontaine, One in the name of Charles Edwards run out by Col. Bull and myself, One in the name of Wight (mentioned in the Act of Parliament) sold to Mr Commissioner Revel and Partners, and one in my own name, the Grant for which is now in your Office.

If the Prayer of my Petition be granted this will be the consequence His Majesty will thereby extinguish a Grant, and future Settlers will by that means pay for Land, which otherwise would be covered by my Grant, and the Amount of the Quit Rent so payable will be of the same value, with the

the present Decrease of the Quit Rents.

But permit me to observe, that I have no common Merit with regard to his Majesty's Quit Rents: For they would have been reduced to a Contemptible Pittance, had it not been for the Regulation drawn up by me which was presented in form to the Lords of Trade, and in a letter to the Board, previous to giving in the paper, I insisted that it was to be deemed a publick Service, and as such it was received by the Board.

Ill health and ill fortune together shall not deprive me of the Pleasure of Reflecting, that by that Performance, His Majesty's Troops in North America were kept from suffering very great Distress, which could not otherwise have been prevented as our Law then was, and still continues. I had at that time very Civil Acknowledgements from some of the first Persons in the Kingdom, and sure no man did ever ask a more moderate Gratification, than I have petitioned for. I am with great and real respect

Sir

Your most obedient and most Humble Servant

Tho. Lowndes

I herewith send a good Draft of the Island of Retan, which when their Lords have seen, I will please to return.

Read Feb. 21/
Read Mar. 6/ 1744/5.

B. P. R. O South Carolina B T bdl 27 p 123

(1st March 1741)

To the Right Honble the Lords of the Committee
of His Majestys most Honble Privy Council

My Lords

Pursuant to Your Lordships Order of the 2d of December 1741, We have had under our Consideration the humble Petition of Thomas Lowndes to His Majesty praying 'that His Majesty will give his 'Royal Orders to the Governor Surveyor General & all other 'Officers of the Province of South Carolina whom it 'may concern, directing them to accept of a Surrender 'of any Grant or Grants for a Tract or Tracts of 'Land in the said Province not exceeding 12000 Acres 'and to permit the person or persons surrendering such 'Grant or Grants to cover the Lands which did there-'unto belong with a Grant of the Petitioners for 12000 'Acres. All arrears of Quit Rents being first paid, and 'all proper Entrys & Memorandums being made in the 'Office of Surveyor General & other publick Offices to 'prevent any Fraud or undue Practice from being 'committed.' In which Petition it is further set forth by the said Petitioner that if he could propose a Method, how the Provincial Bills of Credit, commonly called

called Paper Money might be regulated it should be regarded as a publick service, whereupon he the said Petitioner applyed himself with great Zeal to Study that Point & after some time did draw up a Regulation of the said Paper Money to the satisfaction of all Persons interested therein" Whereupon We take Leave to acquaint Your Lordships

That We know of no such Intimation having been given to the said Petitioner or of anything having been done in consequence of the Regulation mentioned by the said Petitioner to have been drawn up by him and therefore We do not see any Reason why His Majesty should be advised to comply with the Prayer of the said Petition We are

My Lords

Your Lordships

most Obedient and

most humble Servts

Monson

R Plumer

B Leveson Gower

Fran Fane

Whitehall
March 1st 1715/6

B. P. R. O. South Carolina B. T. Vol. 14 N. 100.

South Carolina april 28th 1747

My Lords.

The Calamitys that have for some time past threatened many of our Planters, and their present distresses, are so great, that it becomes my duty to represent them to your Lordships: I should have thought myself happy had it been in my power to have applyed a Remedy, but as that surpasses my skill I shall only point out the evil.

When Rice, Pitch and Tar, the staple Commodities of this Country, bore a price, our planters lived well and yet grew rich some Thousand Negro Slaves were annually imported, these were sold upon Credit at great rates, and tho ten \$ Centum \$ Annum was paid for Interest, yet both principal and interest were cleared in three or at most in four years. by the labour of these very slaves. these happy effects flowed from an industrious people cultivating a fertile Soil, but unfortunately for this Province, some alarms of insurrections of Negros in other Colonys, and a small attempt of that sort in this, made them too hastily pass an Act, laying a Duty upon the importation of Negroes, which amounted to a Prohibition

-sition, and tho' this was but a temporary Law, yet so dangerous is it to divert Trade from its ordinary channel, even for a short space, that I think the ruin of our planters is to be dated from thence, for soon after this the Merchants imported far greater quantitys of dry goods, fine cloaths and the luxuries of life, than formerly, and as personal Credit has been always too great here, it was found as easy to get into the Merchants Books for these things as it had been to get credit for Slaves, but they never considered that Slaves are real riches in themselves, as much as Gold and Silver, and are likewise the Tools with which they were to worke themselves out of debt.

I have already observed to your Lordships that the legal Interest is ten ₱ cent, and as Interest has generally been taken for book debts, and accumulated, at the end of every year without any Bond given, the next year interest bears interest, this must bring speedy ruin upon Planters unless a valuable produce prevents it. And this was our Situation before the French War, since which, Freight and Insurance have been so high that the Produce of this Country, being very bulky, yeilds no price here, which has completed the Ruin of many planters,

dinner

diverse projects have been tryd, and various plans and schemes have been proposed by these unfortunate people as Rice brought no price, a Seed called Benny or Sesamum has been planted, from which a very good oyl is extracted. Indigo has likewise been tryd, and tho there be great hopes of success in both these Articles yet they don't afford a present relief. Some have prayed the Indulgence of two or three years, which being refused, they have retired into other Countrys with their Slaves and effects, others propose to follow their Example, and others have given up their all to satisfy their Creditors.

These are the great causes of our distress tho no doubt what follows have been no advantage to us.

The money that the Seige of St Augustine cost the Province, the expence that we were afterwards at when Georgia was invaded, the great loss that we sustained by the dreadful fire, notwithstanding of His Majesty's most gracious assistance, the erecting new Fortifications and repairing the old ones, our building the finest Powder Magazine in America bomb proof, our building brick Barracks for the accomodation of the Independent Companys, our

building

building Armourys and Pest Houses, the Expence of maintaining Prisoners of War, and above all the great expence of keeping up our Interest amongst the Indians and preventing French Influence.

Thus my Lords I have given your Lordships a true but melancholy account of the misery of this Country, and I have added no false colouring to heighten it, nor kept anything from your Lordships that might give light, I have taken notice of what I apprehend occasioned them and with the greatest submission I shall mention what I think would cure them.

If a small bounty were granted upon our Indigo: and more especially if the Enumeration were wholly taken off Rice, during the War only, and that Commodity put on the same footing with the Grain and Fish of the Northern Governments, the loss to the Revenue would be inconsiderable, and I am perswaded it would restore this declining Province and make it infinitely more beneficial to our Mother Country. I think it my Duty to observe to your Lordships that unless something be speedily done for them, the Province may be weakened by many of the Inhabitants leaving it, and others will get

into

into branches of business that may in time prove very prejudicial to the Woollen Trade of Britain, for they send dayly for sheep from the Northern Provinces which thrive mighty well with us, and with the wool, mixed with Cotton (which grows freely even on our worst lands) they manufacture a coarse Cloth for their Negroes, many Gentlemen wear it themselves, and I make no doubt but they will soon introduce it amongst the Indians. The Strouds and Duffils consumed by the Indians are considerable our Negroes are above Forty thousand, and as we have pretty pinching Winters, we are all clothed in English woollen, and in that respect are greatly more beneficial to England than tripple that number in the Sugar Colonys.

The Independent Companys granted by his Majesty for the Defence of this Province are far from being complete, I have stationed one of them at Fort Frederick Port Royal, another of them is intended when full to be at Charles Town, and the third to be divided betwixt Fort Johnson and Fort Moore, but I shall have occasion to write more fully to your Lordships upon this Subject in my next Letter.

Our

Our Situation with the Indians is what affords me great Satisfaction, and I can say to your Lordships with Truth, that it is much owing to the journey that I made amongst them last year, and to the particular attention that I give to all matters concerning them, in which I am supported both by the Council and Assembly. The Catawbas are perfectly attached to us: The Cherrokees tho' courted by the French, have sent to me lately praying for a Fort to be garrisoned by us in their nation, they offer as much land as we please for that purpose without any consideration, to assist in the building of it and to find the Garrison in provisions for two years, they are not so ignorant as not to know that this will be a restraint on their natural liberty, but that they may have a pretext of keeping the French from amongst them, by whom they are sollicited for the same thing they pray us to build one, I have laid this before the General Assembly, who tho' they are sensible of the great benefit that would arise from one are in no condition either to build or garrison a Fort there, but they have voted betwixt two and three hundred pounds Sterling towards that service. In ten days

I expect a visit from the Emperor and the chiefs of that Nation, but I shall conclude upon nothing, if it is possible to avoid it till I hear from your Lordships, His Majesty's Pleasure upon this particular I think four or five hundred pounds more would build a substantial one that no force in those parts could injure.

The Chickesaws have been at all times our firm friends & the Creeks are as much so without the least suspicion of the Contrary, but above all I have the pleasure to acquaint your Lordships that for some weeks past I have had here about fifty of the Chactaw Indians, amongst which were the Kings brother and nineteen head men, they came deputed by the whole nation to make a Treaty of Peace and Commerce with this Province, they are the most numerous of any nation, consisting of Sixteen Thousand fighting men as they alledge, but by the best accounts they exceed Six thousand; Eight or nine years ago, a few of them came here, but as they have been always till now in Friendship with the French, there could be no relyance upon them then, but they have now absolutely broke with them and killed several, three French scalps they sent

sent as a present to this Government, but they were intercepted and carry'd into the Halbama Fort, they promise perpetual peace and Friendship with the English to prosecute War against the French with vigour, and as the Fort of Tombecbay, belonging to the French may deter our Traders from going with Goods to their Nation, they offer to take it and say they will bring the Captain down to me as soon as they get home, they further offer to assist in the reduction of the Halbama Fort and Moville, and are to send some of their Children here to be educated.

I am with the greatest respect
My Lords Your Lordps
most obedient and
Most humble Servant
James Glen.

The Honble the Lords Bors
for Trade and Plantations.

Recd June 26th
Read July 21st } 1747.

B P R O South Carolina B T Vol 27 p 125

(30th April 1741)

To Mathew Lamb Esq:

Sir

The inclosed Parcel of Acts passed in South Carolina (between March 1735 and July 1741) having been some time since referred to Mr Sane and he having returned them to the Office without any Report; I am commanded by My Lords Commissioners for Trade and Plantations to refer the same to you, & desire Your Opinion upon them in Point of Law as soon as conveniently may be. There are only eight of them Original Acts, intermixed with several that are Duplicates of which Mr Gellibrand has noted at the begining of each that Mr Sane has Reported upon the Original Acts formerly received; So that Your Report is desired only on the eight inclosed Original Acts, Numbered from 168 And to prevent any Mistake, the Titles thereof are contained in the inclosed Paper, reffering to the Page where each Act begins in the Collection to save you some time and trouble I am. Sir

Your most humble Servant

Tho: Hill

An

An Act for sinking a Drain in Broad Street in Charles Town and for cleansing and regulating the said Street Passed 29th March 1736

An Act to appoint Commissioners to lay out and mend Roads and appoint Ferries for the Parishes of Prince George Winyaw & Prince Frederick and to explain part of an Act entituled An Act for dividing the Parishes of St Pauls in Colleton County & Prince George Winyaw in Craven County & to appoint a Ferry over Santee River. Passed 29th March 1735

An Act for Granting to His Majesty the Sum of £ 35,833. 6. 11¾ for defraying the Charges of the Government for one Year commencing the 26th day of March 1735, inclusive and ending the 25th day of March in the Year of our Lord 1739 exclusive and for taxing transient Persons towards supporting & maintaining the Watch & Guard in Charles Town Passed 18th Dec 1739

An Act to prevent the Delay of Justice by the non appearance of Grand & Petit Jurors at the Court of General Sessions of the Peace Oyer & Terminer Assize & General Goal Delivery &c Passed April 6. 1740

An Act to cut & sink Drains & Passages into the North and West Branches of Kono River

Passed

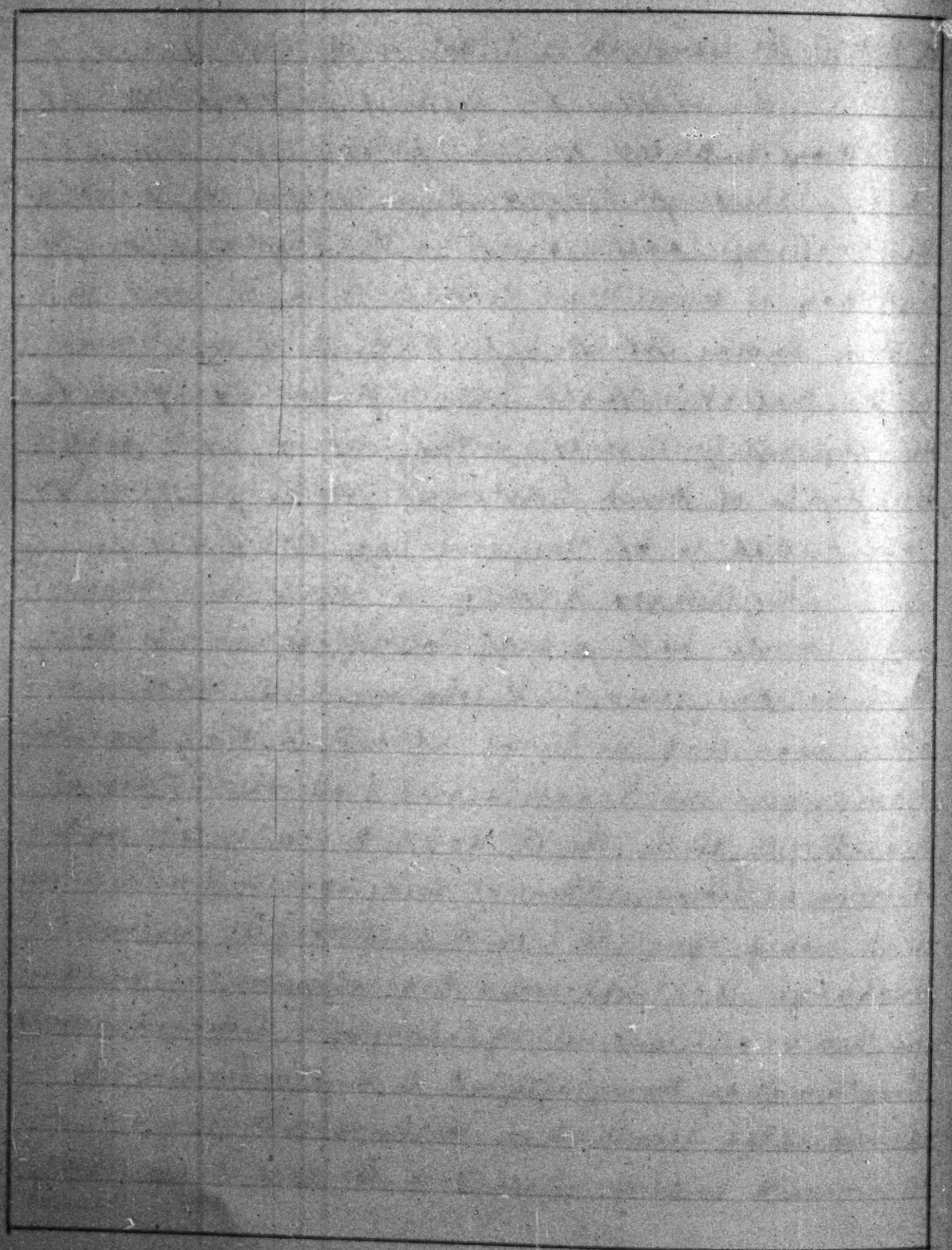
Passed 16th of May 1740

An Additional & explanatory Act to An Act entitled an Act to encourage the better Settling & Improvement of Beaufort Town on Port Royal Island in Greenwich County Passed 17th September 1740

An Act to appoint Persons to serve in Juries pursuant to the Directions of an Act of the Genl Assembly passed the 20th day of August in the Year of Our Lord 1731 Entitled an Act confirming and establishing the ancient & approved Method of drawing Juries by Ballot &c &c Passed —

An Act for the better ordering and Governing Negroes and other Slaves in this Province.

Passed 3d July 1741.



B.P.R.O. S: Carolina B.T. Vol. 14. N. 114.

(4 May 1747.)

May it please your Lordships

I herewith transmit a List of the Grants of his Majesty's Lands passed in this Province from the 29th day of April 1746 to the 30th day of April 1747. I then having executed the Office of Surveyor General of his Majesty's Lands, Inspector and Controller of His Majesty's Quit rents in this Province four years, a Duplicate of which I delivered Mr. Saxby Receiver General to add to his Majesty's Rent Roll.

The Reason I could not send your Honours my seventh half yearly Report (agreeable to your Instructions given Mr. St. John my Predecessor in said office) was that no Grant passed in that time, there having been no Grants signed from the 22nd Day of March 1745 to the the 12th day of December 1746 my Fees thereon as Surveyor General being exactly £ 106.14.2 current money equal to £ 19.2.8 Sterling at the lowest Exchange. As Inspector & Controller no Fees are due; neither can I receive the Salary of a hundred pounds Proclamation Money allowed to my Predecessor (by his Commission recorded in the Auditor Generals office of America) in lieu of all Fees for executing that Grand

Branch of the Office, & was quarterly paid to him by the Receiver General who refuses the same to me without an Order from the Right Honble The Lords of the Treasury tho I am appointed here into the said offices to Enjoy all Fees, Perquisites & Emoluments to the said office belonging in as full & ample a manner as the said Mr John did or could do, & without the Payment of said Salary I must be a Looser by the said office paying £ 120 yearly for Chamber and Office Rent besides Stationary ware & Constant Attendance in this expensive Town. —

I have apply'd to their Lordships of the Treasury to be appointed into the said office as enjoyed by Mr St John & to obtain from them an order on Mr Laxby for my Arrears. Our Governor & Council have likewise applied to them for the same in my favour & have long expected their favour thereon at least an Order for the Arrears.

May it Please your Honours

If you'll favour me with your good offices herein the same shall always be held in the greatest Esteem by

Charles Town May 4th 1744.

Your Lordships

Most obedient & most humble Servant. George Hunter

(Enclosure.)

Under cover addressed to the Rt Honble the Lds Comrs for Trade & Plantations.

Rect Read

(N. 115 Enclosure to N. 114.)

A List of Grants passed by his Excellency the Governor of South Carolina from the 29th day of April 1746 to the 30th day of April 1747 - - - - - - - Report No 7 & 8.

The Quit Rent commences from the date of the Grant

Grantees	acres	County	When Granted
Hugh Murphy	250	Craven	1746 Dec. 12
Hans Jacob Geiger	100	Do	Do
Thos. Brown	250	Do	Do
Thos Wallkelson	300	Do	Do
Peter Lequeux.	320	Do	Do
Paul Trapier	1000	Do	Do
Mary Hyde	200	Do	Do
Wm Carey	50	Do	Do
Wm Janeway	100	Do	Do
Thos Ellerbe	415	Do Meleh Tract	Do
John Brown	300	Do Do	Do
Jas Gillespie	200	Do Do	Do
Do	150	Do Do	Do
Benja Attwell	55	Berkeley	Do
George Mitchel	56	Colleton	Do
Mary Hutson	850	Do	Do
Thos. Elliott	139	Do	1747 April 14
Wm Sattell Junr	160	Do	Do Do
Thos Monck	200	Do	

5095 Acres granted @ 3 lb. Sterling or 4 lb. Proclamation Money ℔ 100 Acres Excepting 850 granted to Mary Hutson @ 1 lb. Proclamation Money being overmeasure contain'd in an old Plat.

The Quit Rent commences Ten years after the date of the Grant

Grantees	Acres	Township	When Granted.
Jas. Taylor	150	Williamsburg	1746 Dec. 12.
Wm King	300	Do	Do
Jas. Poque	300	Do	Do

750 Acres at 3 lb. Sterling or 4 lb. Proclamation Money.

Brantford Town Lotts

Grantees	Number of the Lott	When Granted.
Capt. Robert Hodgson	156	1747 April 14.

N. B. No Return of a 1st Half yearly Report, being from April 29th to Oct. 30th, has been made not one Grant having been passed from March 22d 1746 untill Dec 12th 1746.

Given under my hand this 30th day of April 1747.

George Hunter

Inspector & Controller

B P R O South Carolina B T Vol 27 f 129

(21st May 1727)

To James Glen Esq Gov of South Carolina

Sir

Since our last to you of the 9th of May 1726 We have received three Letters from you, dated May 2d Sept 29th & Oct 4th 1726.

In the two first you give us an account of the Progress you lately made among the several Indian Nations, bordering upon your Government, and of the Interview you had with them. We shall be glad to hear this undertaking has had the good effect you proposed to yourself from it, by continuing them steady in His Majesty's Interest and frustrating the Designs of the French. However we would recommend to you for the future to use your best endeavours to bring them down to Charles Town, where they may with greater convenience to the Province, be Supplied with such Commodity's as they have occasion for, & which are necessary to continue a mutual Trade & Intercourse betwixt you & them.

We are very Sensible that for want of a Sufficient Number of Councillors in South Carolina the Publick business is greatly retarded and therefore in order

order to remedy this evil as far as in us lies, We have recommended Edwd Fenwicke Esqr to supply the Vacancy made by the Death of Mr Hill & Mr Beaufin in the room of Colo Fenwicke who has resigned, at the same time We are to acquaint you that Mr Hamerton has informed us that he intends to return very soon.

We have received the Acts of Assembly and other publick Papers of your Province from Mr Fury and must observe to you that you have omitted sending us with the several Acts, your observations upon them, which we desired you in the Postcript, to our last to do, And so We bid you heartily farewell and are

Your very loving Friends
& humble Servants
Monson
R. Plumer
B Leveson Gower
Dupplin
Fran Fane
T. Pitt

Whitehall
May 21st 1707

B.P.R.O. So Carolina B.T. vol. 14 H. 113.

(3 June 1747.)

At the Court at Kensington
the 3d of June 1747.
Present
The Kings most Excellent Majesty
in Council.

Upon reading this day at the Board a Repres-entation of the Lords Commissioners for Trade and Plantations dated the Eleventh of February last letting forth, that John Fenwicke Esqr one of His Majestys Council in the Province of South Carolina hath signified unto them, that his ill state of Health will not permit him to return to that Province and that he is willing to resign his Seat in the said Council; and that Hector Berenger de Beaufin Esqr hath been recommended to the said Lords Commissioners as a person every way qualified to serve His Majesty in that Station, they there-fore humbly propose that he may be appointed of His Majestys Council in South Carolina in the room of the said John Fenwicke Esqr - His Majesty in Council approving thereof, is pleased to order, as it is hereby ordered, that the said

Hector

Hector Berenger de Beanfin Esqr Be constituted and Appointed a Member of His Majestys said Council in South Carolina, in the room of the said John Fenwicke Esqr And His Grace the Duke of Newcastle one of His Majestys Principal Secretarys of State is to cause the usual Warrant to be prepared for His Majestys Royal Signature accordingly

A true Copy
W= Sharpe.

Read Nov. 13th
Read Do 25th } 1747

B.P.R.O. South Carolina B.T. vol. 14 H. 109.

(15 July 1747.)

To the Right Honourable the Lords Commissioners of Trade and Plantations.

My Lords

In pursuance of your Lordships Commands signifyed to me by Mr. Hill's letter of the 23rd of January last Wherein you are pleased to desire my Opinion in Point of Law upon the following Acts passed in South Carolina in 1746 — I have perused and considered the same and have made such observations thereon as I have wrote under the Title of each respective Act.

No 1. An Act to Prevent the further Spreading of the Infectious Distemper amongst the Cattle in this Province

There seems to be no Objection to this Act to Continue for One Year.

No 2. An Act to Revive and Continue severall Acts therein mentioned.

This Act Recites severall Temporary Acts which are Expired or near Expiring and the Titles thereof are therein Incerted — This Act recites they are Beneficiall Laws & Continues them for 5 Years from the passing thereof [viz.] 22 March 1744.

No 3.

No. 3. An Additionall and Explanatory Act to an Act of the Generall Assembly of this Province Intituled An Act for the more Effectuall Relief of Insolvent Debtors and for that purpose putting in force and Effectually carrying into Execution in this Province such part of an Act made in the Parliament of Great Britain in the 2d Year of his Present Majestys Reign Intituled An Act for the Relief of Debtors with Respect to the Imprisonment of their Persons as is hereinafter mentioned.

This Act has some New Clauses in it Additionall to the former for Preventing Frauds in the Insolvent Debtors. It substitutes a new Oath to be taken by the Debtor Agreeable to the Act of the 2d of the Present King Passed here, but the Penalty for being Guilty of Perjury upon Conviction is not inserted as in the Act passed here.

No 4. An Act for enlarging the Qualifications of the Electors as well as of the persons to be Elected to serve as Members of the Generall Assembly of this Province.

There was an Act passed in this Province the 21 Sept 1721 for Regulating the Elections of Members to serve in the Assembly which

is

is yet in force. This Act Repeals three of the Clauses contained in that Act without a suspending Clause which by the 20th Article of the Governors Instructions ought to be inserted. And there are some Extraordinary Clauses substituted in this Act (viz.) One for Disabling any Person from sitting in the Assembly that holds any Office or Place of Profit in the Province, Another for Determining the Continuance of the Assembly's any longer then one year from the time of the Writs being issued — Which by the former Act was continued for three years. For these reasons I submitt it that this Act is not fitt to be passed into a Law — I must observe that this Act Passed 26 May 1745 and not being suspended as it ought to be till Aproved of here, great Inconvenience may arise by being putt in Execution.

No 5 An Act to direct Executors and Administrators in the manner of Returning Inventorys and Accounts of their Testator and Intestates Estates, And to Restrain the usuall Charges and Commissions of such Executors and

and Administrators, and all other Persons who shall be Intrusted with the Administration and Manage-ment of Minors Estates.

This Act has various Clauses in it for the better Accounting for and disposing of Testators and intestate Estates. And puts it under some new Methods different from the Laws and Customs of England which I think may only be Warranted to prevent some Inconveniencies in use in that Province in Relation to those matters that are not here. And to avoid Inconveniencies by large deductions made by Executors and Administra-tors for their Trouble a certain Commission is by this Act Allowed by way of Poundage out of the Deceased's Effects which is not allowed of and by Law cannot be claimed here. This Act seems to be Calculated for Preventing some In-conveniencies that is Recited therein to be in these respects in that Province, so I submitt that it may be reasonable to be Passed into a Law.

No 6. An Act to supply the Defects in the Execution of an Act Intituled An Act for the Establishment of Religious Worship in this Province according to the Church of England. And for Erecting Churches for the

the Publick Worship of God, and also for the maintenance of Ministers And the Building convenient Houses for them in so farr as Relates to the nominating and from time to time Keeping up the Number of Commissioners therein mentioned.

This Act is only to fill up the vacancys by the Deaths of the Commissioners named in the Act passed in 1706 which is mentioned in the Title In order for Continuing the Execution of the said Act.

No 7. An Act to Divide St Helens Parish and to erect a seperate and distinct Parish in Granville County by the name of Prince William and to ascertain the Bounds thereof.

No Objection to this Act.

No 8. An Act for Founding and Establishing a Parochiall Chappell of Ease at the Town of Edmondsbury in the Parish of St Bartholomews in Colleton County And to Impower certain Commissioners therein named to Receive Subscriptions and therewith to Build the said Chappell.

No Objection to this Act.

No 9. An Act to Impower the Comissioners of the High Roads for the Parish of Saint John in Berkley County to

to make a new Causeway Leading to Childsbury Ferry in the said Parish and for Cutting a Water Passage through certain Lakes to the head of Black Mingo Creek in the Parish of Prince Frederick Winyah and to Rectify a Mistake in an Act of the Generall Assembly of this Province. Intituled An Act for Building a Bridge over the North Branch of Black River opposite to the Landing of John Wallis Esqr deceased in the Parish of Prince George Winyaw and for Building a Bridge Between Lady Island and St Helens Island in Granville County from the Causeway already Begun to be made over the Marshes in the said Islands.

No Objection to this Act.

10. An Act for Imposeing An Additionall Duty of 6 pence p Gallon on Rum Imported and for Granting the same to his Majesty for the use of the Fortifications in this Province and for allowing a Discount of 10 p Cent out of the Duty's on Sugars Imported for Wastage and to Direct the manner of making Entrys of Goods and Merchandizes Imported which are Lyable to pay more then one Duty with the County Comptroller and Publick Treasurer. And for Repealing An Act of the Generall Assembly of this

this Province Intituled An Act for continuing a Duty and Imposition of 3 pence ℔ Gallon on Rum Imported and for raising a Fund to Finish and Keep in Repair the New Brick Church in Charles Town and for the more Effectuall carrying on and Maintaining the Fortifications of this Province And for enlarging the Number of the Commissioners of the Fortifications And to Impower the Commissioners of the Fortifications to Stamp Orders for defraying the expence of the Works by this Act directed to be Immediately carried on for the Defence of Charles Town.

This Act contains various Matters that have no relation to each other and Repeals An Act passed in 1737 without a suspending Clause, whereby 3 pence ℔ Gallon was laid on Rum Imported – This Act lays a Duty of Sixpence ℔ Gallon on all Rum to be Imported and Directs the Money arising to be applyed for the use of the Fortifications And the Commissioners are by this Act Impowered to Stamp and Issue Ordors to the Amount of £20,000 Currency to be applyed in Payment for Works to be done in pursuance of this Act. This

Method

Method of Raising Money in this Province has been often objected to, and this Act is Submitted how far in that respect it may be reasonable to be consented to. This Act also allows a Discount of 10 ℔ cent on all Sugars Imported for Wastage and however reasonable it may be I must observe it is an alteration in a Subsisting Law without a Suspension till Approved of here.

No 11. An Act for continuing the Trust of a Lott & Buildings in Charles Town for the use of the Antepædo Baptist Congregation meeting there for Divine service.

This Act only for continuing a Sufficient Number of Trustees.

No 12. An Act for Vesting the Ferry over South Edisto River known by the name of Parkers Ferry in Jane Grange and her Assigns for the use and during the terme therein mentioned. And to Impower the Commissioners Appointed by an Act of the Generall Assembly to Lay out a Road from the corner of Captain Johnsons Plantation Fence to Steads Brook Instead thereof to make and keep in Repair a Road from Steads Brook to the Plantation of Jeremiah

-miah Knott.

No Objection to this Act.

No 13. An Act for Continuance of Processe and Judi-ciall Proceedings and for Enabling the Chief Justice of this Province Publick Treasurer and Coroner for Berkley County to Draw Grand Jury-men and Petit Jurymen to serve at the next En-suing Court of Generall Sessions of the Peace Oyer and Terminer Assize and Generall Goal Delivery To be holden at Charles Town in the Province aforesaid on the 3d Wednesday in March next.

This Act is necessary in pursuance of a former Act to supply the Accident of a Court not being Held, the Reasons for which are mentioned in this Act.

No 14 An Act for Raising and Granting to His Majesty the sum of 45$\frac{1}{2}$393.5.0$\frac{1}{2}$ and for applying the sum of 8$\frac{1}{2}$93.17.1$\frac{1}{2}$ being the Surplus of Taxes and the Ballance of Severall Funds in the Publick Treasury of this Province making together the sum of 53$\frac{1}{2}$787.2.1$\frac{1}{2}$ for defraying the Charges of the Govern-ment for one Year Comencing the 25d day of March in the year of our Lord 1744 Inclusive and ending the 25th day of March 1745 Exclusive

This

This is An Act Passed Annually whereby Taxes are Laid for defraying the charges of the Government.

No 15. An Act for Continuing and Amending An Act Intituled An Act to Prevent the Spreading of the Infectious distemper amongst Cattle in this Province And for the Amending and Continuing such part of an act Intituled An Act for the better ordering and Governing Negroes and other Slaves in this Province As is not Amended Altered or Repealed by this present Act.

No Objection to this Act only as it contains Matter of Different Sorts. And also Repeals a Clause in An Act now in Force relating to Negroes and Slaves, & Substitutes another without a Suspending Clause being inserted

No 16 An Act to Revive and Continue the Severall acts therein mentioned And to Repeal that part of An Act which Gives a Bounty upon Indigo Intituled An Act for the Further Improvement and Encouraging the Produce of Silk and other Manufactories in this Province. And to Repeal An Act of the General Assembly Intituled an Act to Encourage the making of Hemp passed

the

the 23d February 1723. And for Repealing such part of an Act of the General Assembly Intituled An Act for the better Regulating the Port and Harbour of Charles Town and the shipping Trequenting the same as is therein mentioned.

This Act Revives and Continues Severall subsisting Acts therein mentioned, and which are in the said Act said to be Wholsome and Beneficiall Laws. And it Repeals a Clause in An Act now in Force for Giving a Bounty upon the making of Indigo, Which may be reasonable and Proper, but there is no suspending Clause relating thereto.

No 17. An Act for stamping Emitting and making current the sum of £210,000 - in Paper Bills of Credit and for ascertaining & preserving the future value thereof to be Lett out at Interest on good Security at 8 p Cent p annum and for applying the said Interest to the purposes hereinafter mentioned, and for Exchanging the Paper Bills of Credit in this Province and making them less Subject to be Counterfeited.

I find that An Act Passed in this Province in

in May 1736 for the same purposes as this Act for Stamping of Bills of Credit. But there was contained in that Act some Clauses relating thereto, and also some Clauses relating to other matters which were not approved of, so that Act was rejected here. And in the 99th Article of Govr Glen's Instructions he was directed to Recommend to this Province the passing another Act not lyable to the same Objections This Act is free from those objections, and is Expressly mentioned not to take place till it has Received his Majestys Approbation.

No 18. An Act to prevent Frauds and Deceits in selling Rice Pitch Tarr Rosin Turpentine Beef Pork Shingles Staves & Firewood And to Regulate the Weighing of the severall Comodities and Merchandize in this Province.

This Act is for Preventing the Frauds mentioned in the Title And is to continue 3 years.

No 19. An Act for laying Buoys & Erecting and Supporting Beacons or Land marks near the Barr of the Harbour of George Town Winyaw and for Building and Repairing one or more Pilot Boat

or

or Boats to attend the Barr of the said Harbour and for the better Settling and Regulating the Pilotage of the said Harbour.

This Act seems to be designed for the safety & convenience of the Inhabitants and Traders in this Province, and is to continue five years.

No 20. An Act for Preserving the Fortifications and for appropriating certain Surplues Land in Charles Town.

No Objection to this Act.

No 21. An Act for the better Establishing and Regulating of Patrols in this Province.

No Objection to this Act. To continue three years.

No 22. An Act for the Appointment of a powder Receiver and for the better regulating of that Office.

no Objection to this Act.

No 23. An Act for Raising and Granting to His Majesty the Sume of £ 50,121.10.2½. And for applying the Sume of £ 807.14.8½ being the Surplus of Taxes and the Ballance of Severall Funds in the Publick Treasury of this Province making together the Sume of £ 58,189.4.10½ for Defraying the Charges of the Government for one year Comeneing the 25th day of March in the year of our Lord 1745 Inclusive

-clusive

clusive and ending the 25th day of March 1746. Exclusive and for Raising the Sume of 117.14.16.1/2 on the Inhabitants and owners of Leads in the Parish of St Philip Charles Town for the use of the Watch in the said Town.

No Objection to this Act.

Upon perusal and consideration of the before mentioned Acts I don't see any occasion to make any further Observations thereon Or make any Objections thereto in Point of Law All which I submit to your Lordships and am

My Lords

Your Lordships

Most Obedient

Humble Servant.

Nath. Lamb.

Lincoln's Inn

July 15th 1747.

Recd July 28th }
Read Augt 11th } 1747.

B P R O South Carolina B T. Vol 27 p 131

(22d July 1707)

To His Grace the Duke of Newcastle

My Lord

Having lately received a Letter from James Glen Esqr His Majesty's Governor of the Province of South Carolina dated the 28th of April last wherein he acquaints us with the good Understanding which at present subsists between that Province & the several Nations of Indians bordering upon it, and particularly that the Cherokee Nation have desired that a Fort may be built in their Country, & have offered to assist therein; We take Leave to inclose to Your Grace an Extract of so much of the said Letter as relates thereto

We are

My Lord

Your Grace's

most Obedient and

most humble Servants

Monson

A. Plumer

Dupplin

Whitehall
July 22d 1707

B P R O South Carolina B T Vol 27 p 132

(23d July 1707)

To John Scrope Esq
Secy to the Lords of the Treasury

Sir

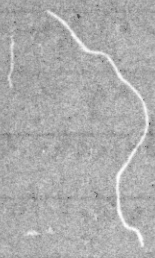
My Lords Commissioners for Trade & Plantations having lately received two Letters from Mr George Hunter Surveyor General of the Lands, and Inspector and Comptroller of His Majestys Quit Rents in South Carolina, relating to the Deficiency in the Payment of his Salary; I am commanded by their Lordships to transmit to you the inclosed Extracts of the said Letters, and to desire you will please to lay the same before the Lords Commissioners of His Majestys Treasury

I am

Sir

Your most humble Servt
Tho Hill

Whitehall
July 23d 1707



B.P.R.O. Carolina B.T. Vol. 14 H 108.

Whitehall July 30th 1747.

My Lords.

I have received your Lordship's letter of the 22d Inst. transmitting an Extract of one from Mr Glen, Governor of South Carolina relating to a Fort, which the Cherokee nation have desired may be built in their Country, in order to keep the French from coming amongst them, and I am to signify to your Lordships His Majesty's Pleasure That you should take the said Proposal into your Consideration, and report your Opinion, whether it may be advisable to comply with the same, and what Orders may be proper to be given thereupon

I am

My Lords

Your Lordships

most Obedient

humble Servant

Holles Newcastle.

Ld Comrs for Trade & Plantations.

Recd July 31st
Read Aug 6th } 1747

B P R O South Carolina B T Vol 27 p 133

(13th August 1747)

To His Grace the Duke of Newcastle one of
His Majestys Principal Secretarys of State

My Lord

Having in Obedience to His Majestys Commands signified to us by Your Grace's Letter of the 30th Ult. prepared Our Representation upon the Extract of a Letter from Mr Glen, Governor of South Carolina, containing a Proposal made to him by the Cherokee Nation of Indians relating to a Fort which the said Indians desire may be built in their Country to keep the French from coming amongst them; We take leave inclose to Your Grace our said Representation thereupon, and desire Your Grace will please to lay the same before His Majesty. We are

My Lord

Your Grace's

most obedient and

most humble servants

Monson

R Plumer

Dupplin

Fran Fane

To

To the Kings most Excell.t Majesty

May it please Your Majesty

In Obedience to Your Majesty's Commands signified to Us by His Grace the Duke of Newcastle One of Your Majestys Principal Secretarys of State in his Letter of the 30th of July last, We have taken into Our Consideration "the Extract of a Letter from James Glen Esq.r Your Majesty's Governor of South Carolina containing a Proposal made to him by the Cherokee Nation of Indians, relating to a Fort which the said Indians have desired may be built in their Country to keep the French from coming amongst them" Whereupon We humbly take Leave to Represent to Your Majesty.

That the Cherokees are the most powerfull Nation of Indians bordering upon Your Majestys Province of South Carolina and as Your Majesty's Governor of that Province has set forth in his Letter that the Cherokees have sent to him praying for a Fort to be Garrison'd in their Nation offering as much Land as is necessary for that purpose without any consideration, to assist in the building of it and to find the Garrison in Provisions for two Years We are humbly of Opinion that the complying with the said Request will tend to the Cultivating & maintaining a Friendship with the said

Indians

Indians and to the Security of Your Majestys said Province of South Carolina, which seems to be the Opinion of the General Assembly of that Province they having voted between two and three hundred Pounds Sterling for that Service, We would therefore humbly propose that Your Majestys said Governor should be directed to enter immediately into a Treaty with the said Indians, for such a Quantity of Land as may be necessary for building the said Fort, & in such a Place as will most effectually answer the Purposes thereof, & that he do forthwith transmit the Terms of such Agreement together with a Plan of the said Fort, & an Estimate of the Expence; in order to be laid before Your Majesty for Your Majestys further Directions thereupon.

Which is most humbly Submitted

Whitehall
August 13th 1747

Dupplin
Jran Fane

Monson
R Plumer

B P R O South Carolina B T Vol 27 p 136.

(13th August 1747)

To the Kings most Excellt Majesty

May it please Your Majesty

We have had under our Consideration An Act passed in Your Majesty's Province of South Carolina in May 1745, Entituled

'An Act for enlarging the Qualifications of the Electors as well as of the Persons to be elected to serve as Members of the General Assembly of this Province'

We have also consulted Mr Lamb One of Your Majestys Counsel at Law upon this Act, who has no Objection thereto in point of Law, But We must beg Leave humbly to represent to Your Majesty.

That this Act enlarges the Qualifications of the Electors as also of Persons to be Elected to serve as Members in the General Assembly of Your Majesty's said Province of South Carolina, without any apparent Reason for such alteration and for this purpose repeals the third and eighth Clauses in An Act passed in Your Majestys said Province in September 1721 Entituled An Act to ascertain the manner & form of electing Members to Represent the Inhabitants of this Province, in the

Commons

Commons house of Assembly and to appoint who shall be deemed and adjudged capable of chusing or being chosen Members of the said House. This Act likewise repeals the 21st Clause in the said Act by which it is enacted 'that the General Assembly shall be 'dissolved every three Years next after the Date of the 'respective Writs by which they were called' and directs the Assembly to continue only for one Year.

There is likewise a further Clause in this Act by which it is Enacted 'that no Person whoever holding 'possessing or enjoying any Office or Place of Profit in 'this Province whereby he shall receive a Yearly Salary 'from the publick to be raised be the General Assembly 'shall hereafter be capable of serving as a Member of 'the Assembly during the time such Person shall 'be possessed of such Office or Place, any Law Usage 'or Custom to the contrary in any wise notwithstanding'

This Act appears to us to be of a very extraordinary Nature, & likewise repeals three Clauses of a former Act passd in Your Majestys said Province of South Carolina without having a Clause inserted therein suspending the Execution thereof until Your Majesty's Pleasure shall be known, as required by the 19th Article of Your Majestys Instructions to

Your

Your Governor of the said Province, We therefore humbly take Leave to lay the said Act before Your Majesty for Your Majestys Disapprobation thereof

Which is most humbly submitted

Monson
R Plumer
Fran Fane
Dupplin

Whitehall
August 13th 1747

B.P.R.O. So. Carolina B.T. vol 14 H. 110

Exmouth Augst ye 29th 1747.

Sir

Yours of the Seventeenth Instant is before me together with the Instruction which I am no Stranger to, the first part of which I Complyed with, having Leave under the Hand & Seal of the Governor to come over, but that I lost when taken Prisoner. The having a License under His Majesties Royal Signature, that I have indeed Omitted, but for no other Reason, but because I continually expected to be gone, and design it now by the first safe Conveyance I can gett. that is I mean by the first Man of Warr I can obtain a passage in, for I do not choose to have myself & Family carried into the Spanish West Indies if I can avoid it, and for want of Convoys the greater part of our Carolina Trade fall into the Enemys hands. If no Man of Warr goes in time, I shall apply for his Majesties Royall Licence which when my Friends shall have made known my case to His Majesty doubt not of His Royal Grace and Favour in my Behalf, as well as that of My Lords the Commissioners for Trade & Plantations

to

to whom with all Due Respect

I am S^r

Thos Hill Esq^r
Secretary to y^e L^ds of Trade.

Your Most Humble Serv^t
J. Colleton.

Rec^d Sept. 4^th
Read. Oct. 20^th
1747.

B.P.R.O. So Carolina B.T. vol. 14. N. 111.

(Qy date.) 9 Oct 1747

To the Right Honourable the Lords Commissioners for Trade and Plantations.

The humble Petition and Representation of George Morley Esqr Provost Marshall of the Province of South Carolina and of James Wedderburn Esqr Clerk of his Majesties Court of Common Pleas, in the said Province, on behalf of themselves, and others the Officers and Ministers of the said Court.

Sheweth.

That at a General Assembly begun to be holden at Charles Town on Wednesday the tenth day of September in the twentieth year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France and Ireland. King, Defender of the Faith and in the year of Our Lord One Thousand seven Hundred and Forty Six and from thence continued by divers Adjournments to the thirteenth day of June, One thousand seven hundred and forty seven. An Act was passed intituled, An Act. to Empower two Justices and three Freeholders or a Majority of them to determine all actions of debt where the matter in dispute doth exceed Twenty Pounds Current

rest

-rent Money which is now equal to Four Pounds pro-
-clamation Money and is not more than Seventy five
pounds Current Money which is equal to fifteen pounds
Proclamation Money, which said Act was assented to
by his Excellency James Glen Esqr Governor of the said
Province on the thirteenth Day of June in the year of
Our Lord One thousand Seven hundred and Forty seven.

That your Petitioners humbly conceive and
are advised that on your Lordship's perusal and
consideration of the several parts of the said Act the
principal scope and design of the said Act will appear
to be an intention as much as in the General Assembly
lies to Abolish and in part dissolve the Authority of
His Majesties Court of Common Pleas, and to deprive the
Officers and Ministers concerned in the Administration
of Justice in the said Court, of their just Rights and
Accustomed privileges, and to erect and establish a
new Unusual extraordinary and unpresidented
Jurisdiction in two Justices of the Peace and three
Freeholders; contrary to several of His Majesty's Royal
Instructions to Governor Glen (to which your Petition-
-ers humbly beg leave to refer) and repugnant to the known
and Fundamental laws of the Kingdom of Great Britain
and the said Province, and equally injurious to the

priviliges

priviliges rights and properties of his Subjects in the said Province, Inasmuch as the said Act attempts to destroy the Tryal by a Jury. the ancient known birth-right, and Inheritance of the Subject, and instead thereof sets up an Arbitrary and illegal Power, in the Justices and Freeholders named in the said Act, to dispose of part of the properties of his Majesties Subjects without legal tryal and a proper inquiry by Competent Judges Skill'd in the Laws and Customs of England and of the said Province which your Petitioners humbly conceive is the more grevious, as the new Jurisdiction Erected by the said Act, will be (for the most part) composed of Persons unskilful in the Laws of the Land and destitute of any regular education or Litrature, who will be generally planters, handicraft Tradesmen and mere rusticks.

That the said Act, if it was endeavourid to be carried into Execution would be attended with manifest failure of Justice, as well for the reasons before mentioned as that several persons, who are named in the Commission of the Peace, being often Conscious of their own Incapacity refuse to act, and decline to qualify themselves as Magistrates, and this is a fact

as

as notoriously known in the said Province, as well as to his Excellency the Governor who has often complaind of this matter as incapable of redress, as will be fully made appear to Your Lordships Satisfaction.

That it will be further made appear to your Lordships that the General Assembly when they Passd this Act were conscious of the general Incapacity and Ignorance of the Magistrates in several parts of the Province since they have in the most minute manner pointed out and prescribed the order and form of proceeding to be exactly observed by those who are to execute this new and Extraordinary Jurisdiction.

Your Petitioners humbly hope that it will be made appear to your Lordships that this Act took its rise from the Clamours and Complaints of those persons, who some time since resisted and abused his Majesties due and legal process, issuing from the Court of Common Pleas, who in a riotous and tumultuous manner assembled themselves together and rode about the Southern parts of the Province to procure Petitions of a most extraordinary nature to the Assembly, and the same persons have had influence enough, among the Ignorant Populace in those parts to

to get themselves Elected as representatives in the lower House of Assembly, where they think they are more at Liberty to carry on their pernicious scheme under the umbrage of the privilege of the lower House

That the former disorders which have been mentioned were not sufficiently suppressed or discountenanced by his Excellency the Governor.

That his Excellency has several Instructions to support and maintain the Officers of the Crown in the just Exercise of their rights But the said Officers have been so unfortunate as not only to be oppressed by the General Assembly, but the Governor has given his Assent to the late Law, which has been made so much to their prejudice.

That the Assemblies have for several years past shewn an Inclination to oppress the Officers of the Crown in general and when His Majesty (on application and complaint of the said Officers) has been graciously pleased to have repealed several of their Acts, they have in a contemptious manner made other Acts more prejudicial to the Officers of the Crown.

That the said Officers can obtain no redress but by applications to Great Britain, which are often attended with very great expence and trouble.

That

That they are almost wearyd out with making Complaints and are so discouraged that they are afraid to renew their Sollicitations, even when they are most injuriously Oppressd.

your Petitioners therefore most humbly beseech your Lordships to represent their severe hardships to his Most sacred Majesty and if your Lordships see just cause (from the reasons before mentioned) and humbly represented to your Lordships; to recommend the repeal of the late Act Complained of to his Majesty to the end that the said Act may be repealed, and that your Lordships will be pleased to grant unto your Petitioners such further relief as in your great wisdom you shall think fit.

And your Petitioners as in duty bound shall ever pray

George Morley

George Morley for James Wedderburn

Recd Oct. 13.
Read Nr 20. } 1747.

B.P.R.O. S.Carolina B.T. Vol. 14 H. 116.

(No Date.)

To the Right Honble The Lords Commissioners
for Trade and Plantations.

The Memorial of John Hammerton Esqr
Secretary and one of His Majestys
Councillors of S. Carolina.

My Lords,

I had the Honour to receive your Lordships commands, by a letter from Mr Hill, relating to my being absent from South Carolina as one of His Majesty's Councillors there, Before I left that Province I acquainted the Governor in Council of it, and had his Permission entred in the Journals (more than any other Councillor did before)

My Business has been retarded by my misfortune of being taken by the French coming to England, and remained in Brest some Months, Untill his Grace the Duke of Newcastle was so good to procure my being sent home on my Parole, on which I am yet.

There is at this time Ten Councillors in South Carolina. Sufficient, I humbly presume, for all business, and Mr Colleton, (who hath been in England

England a year longer than I have, and is my Junr.) is very soon returning.

Therefore I humbly pray your Lordships Indulgence 'till March, by which time I shall fully Accomplish my Affairs which have hitherto detained me here, and shall directly proceed to Carolina at that time.

I have the honour to be with the Greatest Regard and Deference.

Your Lordships
most humble
and Most obedt. Servant
John Hammerton.

Recd. Nov. 27th
Read Dec 1st } 1747

B.P.R.O. S.Carolina B.T. Vol. 14. H. 117.

(26th Oct 1747.)

At the Council Chamber Whitehall
the 26th of October. 1747.

By the Right Honourable the Lords of the
Committee of Council for Plantation Affairs.

His Majesty having been pleased to refer unto this Committee, the humble Petition of James Peyn of London Merchant, setting forth, That very great Tracts of Land in the Province of South Carolina lye waste and uncultivated, which if they were properly settled, would extend the Trade and Navigation of Great Britain, and become a Security against the Enemy to all the British Southern Colonys in America; That the several Timbers in that Province are peculiarly adapted to the Manufacturing of Pitch and Pottash, and the Petitioner having found out a Peculiar Method of making both those Commoditys in the greatest Perfection, He most humbly prays, that His Majesty will be graciously pleased to grant in his name Five hundred thousand Acres of Land in the said Province to be run out in such Place or Places, as he shall find it suitable and conveniently Scituated for the

purposes

purposes intended, where it has not already been run out for other Grantees, and that the Quit rents may, as usual in the like Grants, be remitted for the first Ten years, and that the Lands may be comprized in one or more Grant or Grants as the Petitioner and his Associates may find it most convenient for the purposes aforesaid whereby amongst other benefits which will accrew to the Crown they will be enabled to Settle thereon such Foreign Protestants and others as will shew themselves attached to his Majestys Person and Government - The Lords of the Committee this day took the said Petition into their Consideration, and are hereby pleased to refer the same (a Copy whereof is hereunto annexed) to the Lords Commissioners for Trade and Plantations to consider the same and Report their Opinion thereupon to this Committee

Wm Sharpe.

Read from Mr Josh: Sharpe

Read Dec 9th 7th
Read — 8th } 1747

(Enclosure.)

(Enclosure to H. 114.)

To the Kings most Excellent Majesty in Council

The Humble Petition of James Peyn of London, Merchant.

Sheweth.

That your Majesty having very great Tracts of Land in your Province of South Carolina lying Waste and Uncultivated which were they properly Settled would in an extraordinary manner extend the Trade and Navigation of Great Britain and become a Security against the Enemy to all the British Southern Colonys in America. Whereas those immense Tracts of Land lying waste and Unpeopled as they now do can be of little use to your Majesty's Crown or your British or American Subjects: But when Settlements are made in those remote parts of your Majesty's Dominions and the Inhabitants led into useful Manufactures which will not clash with those of Great Britain it would in an extraordinary manner contribute to the benefit of this Nation as well as that Colony.

That the several Timbers in South Carolina are peculiarly adapted to the Manufacturing the Important Commodities of Pitch and Pottash and more

more so than those of any other your Majestys Dominions And your Petr has by an expensive search found out a Method of making Pitch which far surpasses others for preserving shipping as well as Answering many other good purposes And your Petitioner hath also found out a method of making Pottash which proves better than any Imported from Foreign Countries: All which your Petitioner is ready to shew undeniable Proofs of. And your Petitioner begs leave to represent to your Majesty that producing a quantity of these Commoditys in your Majesty's said Colony of South Carolina equal to the Consumption of Great Britain will save England a Ballance in Trade of several hundred thousand of Pounds Sterling yearly at the same time that carrying on these Manufactures in that Province must greatly increase its Inhabitants, and render it formidable to your Majesty's Enemies.

That your Petitioner and those concerned with him in this Undertaking have concerted and taken all necessary measures for carrying on these Good Purposes and find that extensive Tracts of Lands will be necessary to afford Timber to make a sufficient quan-

tity

-tity of Pitch and Pottash to supply the Demands of this Nation.

Wherefore your Petrs most humbly Prays your Majesty will be graciously Pleased to grant in his Name Five hundred Thousand Acres of Land in the said Province to be run out in such Place or Places as he shall find it Suitable and conveniently Situated for the Purposes intended where it has not already been run out for other Grants And as an Undertaking of this Consequence must prove Expensive and Laborious your Petr humbly prays your Majesty that the Quit-rents may as usual in the like Grants be remitted for the first ten years. The Petrs being Willing and Desirous after the Expiration of that time to Pay the Quit-rents usual for Lands in that Province And that the Lands may be comprized in One or more Grant or Grants as your Petr and his Associates may find it most convenient for the Purposes aforesd Whereby amongst other Benefits which will accrew to the Crown they will be enabled to settle thereon such Foreign Protestants and others as will shew themselves attached to your Majestys Person and Government. / And your Petrs and his Associates as in Duty bound will ever pray &c

B.P.R.O. So Carolina B.T. vol. 14. H. 118.

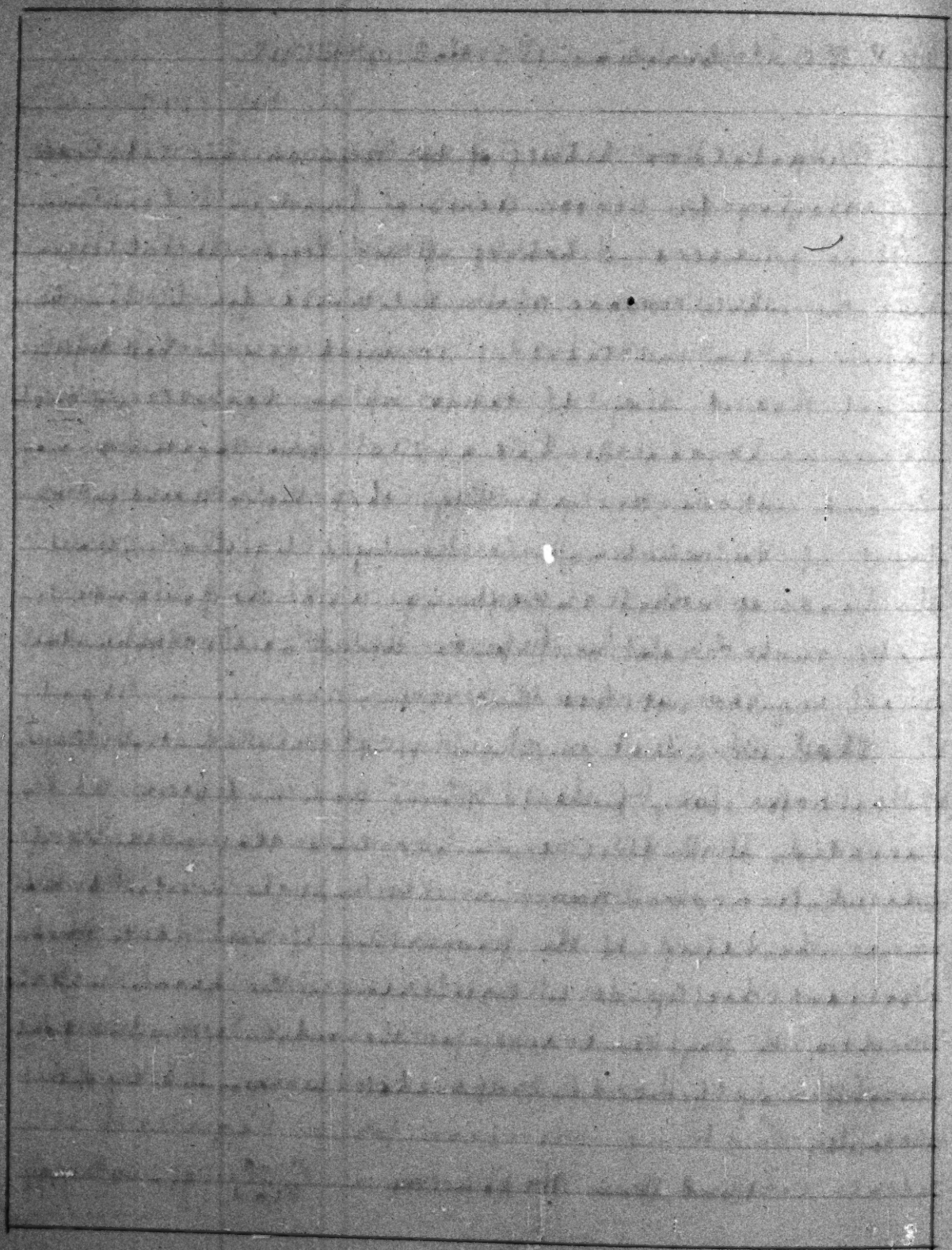
(No Date.)

Proposals on behalf of Mr Peyn on his Petition Praying for 500000 Acres of Land in So Carolina.

It is proposed on behalf of Mr Peyn the Petitioner that the whole 500,000 Acres petitioned for by him be taken up in one tract if so much can be had together If not that it may be taken up in parcells in such Places as it can be had and as near together as may be and not in less quantitys than 2000 Acres in a tract if so much can be surveyed together without the Lands of others interfering. And the Governor to make such Grant or Grants thereof as the Proprietor shall require not less that 12,000 Acres in a Grant.

That the usual Quit rent of 4d Proclamation money be paid for every hundred Acres from and after the Expiration of the first ten years. And that so much of the whole 500000 Acres as shall not be settled by that time according to the proportion of one White Person for each 200 Acres be forfeitable to the Crown and the Grantee to pay Quit-rent for the whole till such part which may become forfeited shall be resumed by the Crown.

Recd from Mr Hamilton. Read. / Read. / Jan 12th 1763.



B.P.R.O. South Carolina B.T. Vol. 14. N. 112.

(12th Nov. 1747.)

To the Rt Honble the Lords Commissioners for Trade & Plantations.

Reasons Humbly offered by the Agent for the Province of South Carolina to the Right Honble the Lords Commissioners for Trade and Plantations, for obtaining his Majestys Royal Assent to an Act passed in that Province, Entitled an Act to Remedy some Defects in His Majestys Rent Roll &c &c which Act contains a saving Clause, not to be of force, untill his Majesty shall have approved thereof.

1st That this Act is chiefly calculated for the service of the Crown for by the 1st, 2d, 3rd and 4th Clauses it is provided, That all Mesne Conveyances under Grants passed from the Crown are to be registered, by which means, the Defects of the former Quit-rent Law, which provides chiefly for Registering of Original Titles Deeds and Mesne Conveyances under Titles derived from the late Lords Proprietors only, Whereas this Act by making provision for a Register of all Patents derived from the Crown and also of all Mesne Conveyances

Conveyances under Crown Patents, the Officers of His Majestys Revenue have an Effectual opportunity of ascertaining the Rents; for by memorials being entered upon every Transfer of property it will appear to whom the Lands belong, and consequently the officer will know where to apply for the Rents due.
2ndly By the 5th Clause of this Act, Provision is made not only to prevent the Possessors of Land conveying their Lands in Fictitious names, after that they have reaped the Profits of Tar, Pitch and Terpentine, from such Lands, but also to prevent conveying Lands to Persons unable to satisfy the Quit Rents or to Transient Persons of no visible way of livelyhood, for by this Clause it is provided that the Person to whom the Lands are sold have lived in the Province and have paid the Provincial Taxes at least one Year, or must find Security for Payment of the Quit rents for five Years to come, and the person conveying such Lands, is also obliged to pay all arrears due before such transfer otherwise he is not to stand Discharged of the Quit-rent by Virtue of this Law.
3rdly By the 7th and 8th Clauses a Remedy is given to correct great Inconveniency's complained of

of, not only in the Province of South Carolina but in other Provinces in America, by persons being possessed of very large Quantitys of Land, thereby preventing the more Industrious from improving the same and discouraging the Settlement of the Colonys, Inconveniences which His Majesty upon purchasing the Soil of the Carolinas intended to have prevented by His Instructions to his Govern-or; However, so it happened that very great quantitys of Lands were granted to particular persons, which have hitherto remained uncultivated and in all likelyhood will so remain unless the Province becomes more Populous, but the Possessors of such great Tracts of Lands, since the present War being sensible of the danger from few Inhabitants, and at the same time of the Benefit that must attend Introducing White People into the Province, are now desirous to make way and to yield up for that purpose to his Majesty all their Right and Title to such Lands, by this Law the Governor and Council are Empowered to Accept of the surrender of such Lands, and to Grant them again to those who are to settle them. And by the 9th Clause of the Act, effectual Provision

is

is made to prevent such People who are to surrender from giving up the bad and reserving to themselves the good Land, for by this Clause the whole Grant and not any particular part of Land therein mentioned must be surrendered Also all arrears of Quit rents due on such Grants are to be paid up: and it is further provided that no surrender shall be accepted of Lands where any manner of Waste or Spoil has been committed by making Pitch Tar or Turpentine.

4thly By the last Clause of the Act, Provision is made to relieve Persons whom the Abuses and Irregularitys of the Deputy Surveyors have injured, by returning false Surveys in consequence of which Surveys, Grants have issued to Persons, before it was discovered that such Surveys were false and in many instances Grants of the same Lands have passed to persons for immaginary Lands, by which means the Grantees became liable to Quit-rents although they really had no Land for the ease and quiet of such People as well as for the ease of the Receiver General of the Quit Rents; Relief by this Law was given to the Persons so Injured, by the abuses of the Deputy Surveyor and by a Law lately passed in

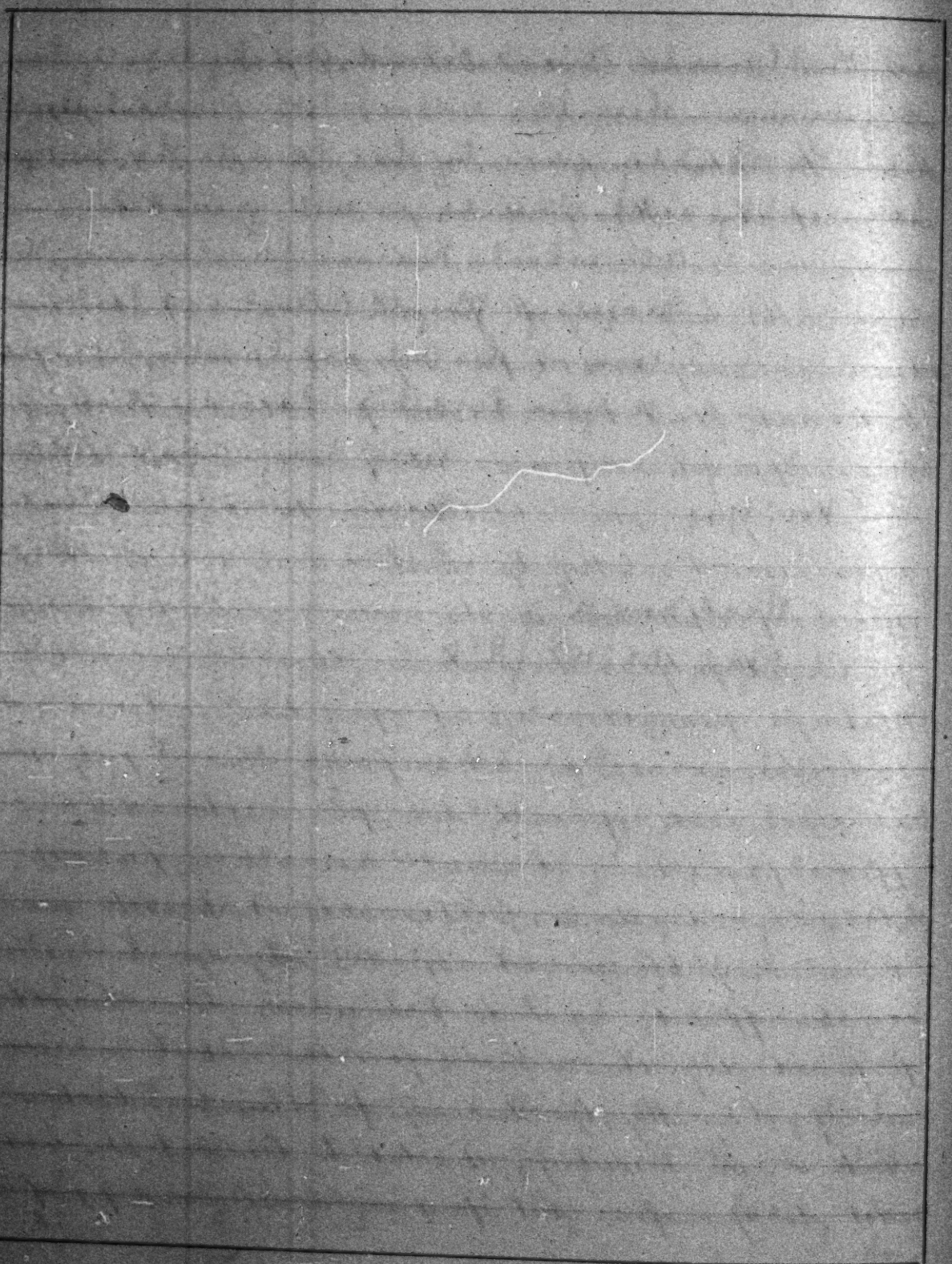
in the Province Frauds committed by deputy Surveyors were thereafter declared Felony, which shews that the Remedy given by this Law to the Partys Injured by such Frauds is well grounded

All which Reasons for obtaining His Majestys Royall Assent and Confirmation of this Act are humbly Submitted to your Lordships Consideration.

Pereg: Fenye Agent to the Province of South Carolina

12th Nov: 1747.

Recd Nov. 13th
Read Do. 18th } 1747.



B. P. R. O. South Carolina B T Vol 27 p 110

(8th December 1707)

To John Scrope Esqr Secretary to the Lords Commrs of His Majestys Treasury.

Sir

Mr Jurye Agent for the Province of South Carolina having laid before my Lords Commissioners for Trade and Plantations, Reasons for obtaining His Majesty's Royal Approbation of an Act passed in that Province in the Year 1704 Entituled An Act to remedy some defects in His Majestys Rent Roll and to enable the Officers of the Revenue to make a more perfect Roll of His Majestys Quit Rents in this Province and to discharge from the Payment of future quit rents all such Persons as upon transfering their Property shall enter memorials of such transfer in the Auditors office, pay the Quit Rents due and comply with the other directions of this Act, which Act contains many Clauses whereby His Majesty's Revenue may be affected; my Lords Commissioners have thought proper to lay the same before the Lords Commissioners of His Majesty's Treasury for their Consideration. And I am accordingly directed to transmit the said Act to you for that purpose, as also a Copy of Mr

Mr Surye's Reasons, together with a Copy of a Letter from Mr Mc Culloh, Comptroller of His Majesty's Quit Rents, relating to the said Law, as likewise some Observations thereupon by Mr Whitaker. Chief Justice of the said Province I am

Sir

Your most humble servt

Whitehall
December 8th 1727

Tho.s Hill

B T R O South Carolina B T. Vol 27 p 139

(17th October 1747)

To Mathew Lamb Esq:

Sir

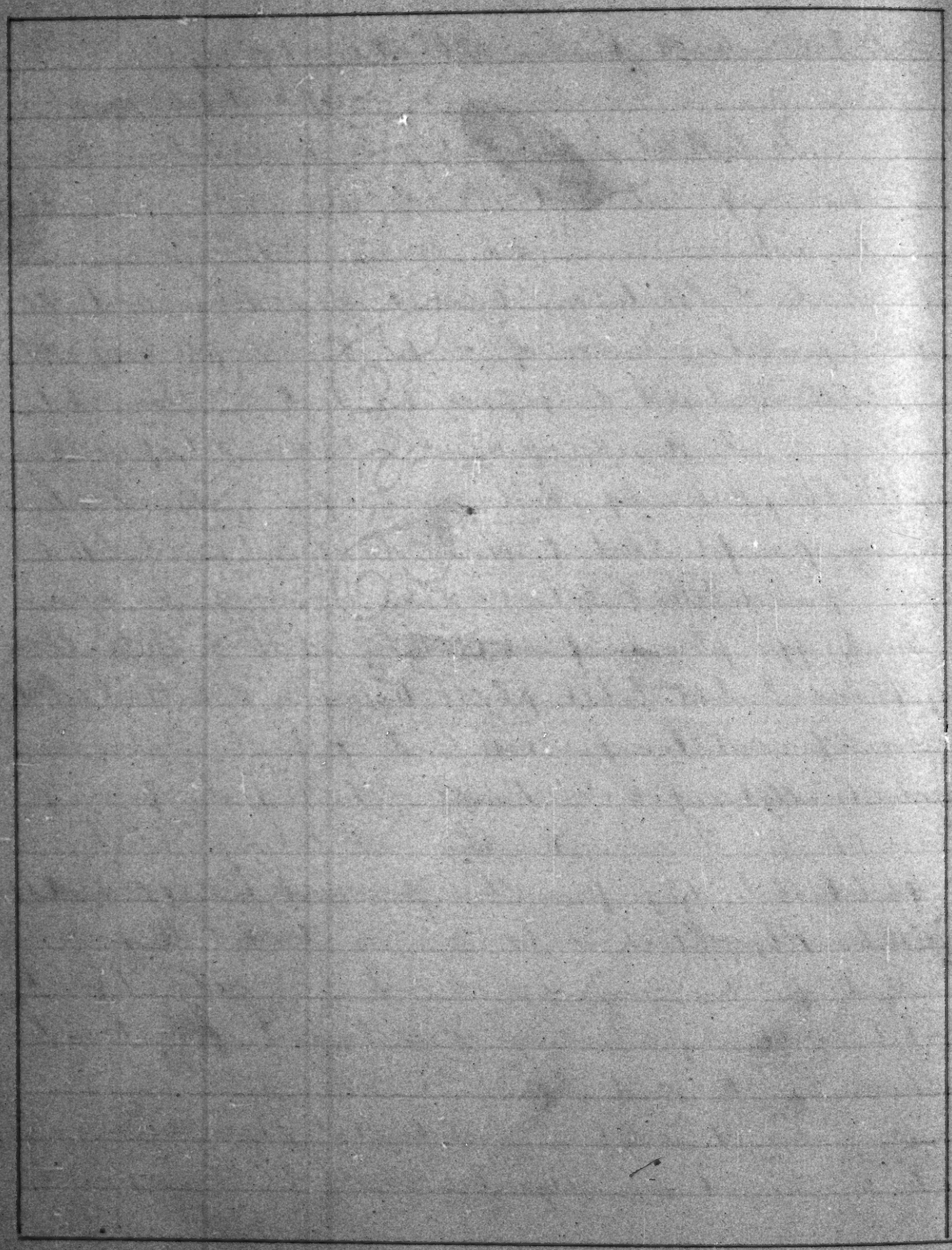
I am commanded by my Lords Commissioners for Trade & Plantations to send you the inclosed Act passed in the Province of South Carolina in June 1747 Entituled An Act to impower two Justices & three Freeholders or a Majority of them to determine in all Actions of Debt where the Matter in Dispute doth exceed twenty pounds Current Money, which is now equal to four pounds Proclamation Money & is not more than Seventy five Pounds Current Money which is equal to fifteen Pounds Proclamation Money, and to desire your Opinion thereupon in Point of Law as soon as conveniently may be I am

Sir

Your most humble Servt

Thos Hill

Whitehall
October 17th 1747



from 1722 to 1744

B P R O South Carolina B T Vol 18 X 66

(26th October 1722)

To the Right Honourable the Lords Commissioners of Trade and Plantations

My Lords

In obedience to your Lordshipps Commands I have perused and Considered the severall following Acts passed in August & Sept 1721. in South Carolina. And

As to the Act Entituled An Act for the better Regulation of the Indian Trade by appointing Commissioners for that purpose and to Survey and Supervise the Garrisons and to settle the Bounds of the Indians the Cheife purview of which Act is to Regulate the the Indian Trade And for that purpose does direct that no Person whatsoever shall Trade with the Indians in Amity with that Government without first repaireing to Charles Town in Carolina and takeing out a Licence for his Trading from three Commissioners appointed by this Act, Which Trader is alsoe directed to give Bond for his carryeing on his Trade according to such Rules and Regulations as shall be made from time to time by the said Comrs

It is alsoe Enacted that those Licences are to be Renewed annually And that the Sume of Twenty pounds

pounds shall be paid for each Licence And powers are thereby alsoe given to the said Commissioners to determine all Controversies that shall happen between any Traders and the Indians in such manner as they in their discretion shall think fit upon the evidence of any single Indian without any Jury or any forme of Law whatsoever.

If this Act Related to and affected only the Inhabitants and proper Subjects of the Colony of Carolina, I should be of opinion, That it should be not proper to be passed into Law, Since the hardshipps thereby imposed upon the Traders are, in my opinion very grievous, and the power granted to the Comrs. seem to be very arbitrary.

But besides these particulers I must beg leave to acquaint your Lordshipps That upon the occasion of this Act I have been attended by John Carter Esqr. (Agent for the Province of Virginia) who has Represented to me That the Inhabitants of that Province have long carried on a Considerable Trade with the same Indians the Trade with whom is intended to be Regulated by this Act. And that in carryeing on their said Trade they are obliged to carry their goods and Merchandizes through the outermost parts of the Province

of

of Carolina which are at least four or five hundred Miles distant from Charles Town And that the people of that province, do apprehend, That their Trade will be Considerably affected & prejudiced by the generall words of this Act.

And in relation to this Representation of Mr Carter (In case that fact is true That the Inhabitants of Virginia are obliged in their carrying on their Trade to Transport their goods through any part of the Province of Carolina) I am humbly of opinion That those Virginia Traders will be (by vertue of the generall words of this Act) obliged to take out Licences from the Comrs of Charles Town and to conform themselves to all such Regulations as are prescribed in it.

I submit to your Lordshipps whether the difficultys and hardshipps hereby imposed upon the Inhabitants of Virginia, will not amount to a totall prohibition of their Trade with those Indians who are the Subject matter of this Carolina Law, Since every Virginia Trader will be obliged to Travell near five hundred miles out of his way in order to obtain a Carolina Licence for he must be personally present in Charles Town to enter into Bond ere he can purchase that favour. He must come there previously dureing the two days quarterly Sessions of

their

their Comd. And if by sickness the frequent over-
flowings of Rivers, or any other accident in his Journey
he happens to miss that opportunity, he must then
wait three months before he has another And all that
while himself, his Servants & horses lyeing idle on
Expence, and his goods lyeable to perish, he must find
one to be security with him in a Bond of Three
hundred pounds penalty, at a place where he is an
entire Stranger, he must pay an annuall Tax of
Twenty three pounds for obtaineing his Licence, and
which is still worse, he is to forfeit his Bond on
the least Transgretion of Laws not promulgated at the
time his Bond is given, but to be made occasionally
according to the Sovereigne will and pleasure of three
persons called Commissioners, vested with an unlimited
power of declareing whatever they think fit to be Law
and Judgeing definitively upon what they please to call
a breach of it, Exposed to be condemned in as many
sumes of Ten pounds, as Complaints shall be made
against him, and Convicted upon the evidence of an
Indian, and that, without the benefit of a Tryall
by Jury.

Besides what I have now mentioned I must beg
leave to observe to your Lordshipps. That attempts of the
like

like nature with this Bill, have been long the occasion of disputes between the two Provinces, for as I am informed in the year one Thousand seven hundred and eight, There was a Complaint made by the Province of Virginia against the Government of Carolina for seizing the Merchandizes of Severall of the Virginia Traders, and Compelling them in an arbitrary manner to pay a duty for their said goods. Upon which Complaint the Lords Commissioners of Trade and Plantations were upon the sixth of September, one Thousand seven hundred and nine, pleased to make a Report to her late Majestye in Councill And were therein of opinion That the Government of Carolina had no rightfull power to lay any duty upon goods carried to those Western Indians by the Inhabitants of Virginia, Which Report of their Lordshipps was afterwards Confirmed by her Majestye in Councill Notwithstanding which the Government of Carolina did within about a year after think fit to pass an Act Intituled An Act to oblige those Traders That come from Virginia to other Neighbouring Colonys to Trade with the Indians or white person liveing within this Province and Government to come first to Charles Town and take out Licences to Trade and to be subject to the like Regulations and

and to pay the same dutys of Import and Export with the Inhabitants of this Province and Government who Trade with the Indians liveing within the bounds of the same. By which Act they did Enact the substance of what is passed in that which is now under consideration. Against which Act the said then Lords Commissioners of Trade and Plantations did likewise make a Representation That it was not proper to be passed into Law. Upon which by order in Councill dated the eighth day of January one Thousand seven hundred and twelve, the Lords Proprietors of the Province of Carolina, were Commanded to take Care, that the last mentioned Act should be immediately Repealed

My Lords

The greatest difference that I can observe between this Act of one Thousand seven hundred and twenty one, and that of on Thousand seven hundred and eleven is, That in That of one Thousand seven hundred and eleven, the Virginia Traders are expressly named and the duty openly and avowed laid upon them, whereas in this Act of one Thousand seven hundred and twenty one, the Virginians are only Comprehended under generall words and not particularly mentioned For it is Enacted That if

if any person or persons whatsoever other than such as duely obtain Licences in the manner as in the Act perticulerly mentioned, shall directly or indirectly, visit frequent, Trade Traffick or Barter with any Indian or Indians in Amity with the Government of Carolina, all and every such offender and offenders shall forfeit the Sume of Two hundred pounds to be sued for and recovered in such manner as in the Act is directed. And the Inhabitants of Virginia not being able to carry on their Trade without passing through some of the remote parts of the Province of Carolina. I am of opinion, That they will be comprehended in the generall words of this Law, and will be disabled from, or at least very much disturbed in Carrying on their Trade, unless they shall first (under the diffeculltys I have abovementioned take out Licences from the Commissioners of Charles Town according to the directions of this Act And if I may in any manner depend upon such Informations as I have Received from the Agent of the Province of Virginia, it seems probable that one of the chiefe ends proposed by the framers of this Act was to Comprehend the Virginia Traders, hopeing that they might by the means of generall words Compass what they had formerly to no purpose attempted in Expresse Termes.

I

I must own that what I have laid before your Lordshipps is chiefely founded upon such Informations as I have Received from the Virginia Agent, But I was induced to give credit to his Accounts, because what relates to the former Reports made by Lordshipps Predecessors will appear by Books in the Office. To all which I would beg leave to add, That before I thought it proper to make a Report upon the Virginia Informations, I sent word to Mr Francis Young (who is Agent for the Province of Carolina) to let him know That the Agent of Virginia had lodged with me objections against this Act being passed, in order That he might have an opperlunity to lay before me such reasons as he should think proper to urge on behalfe of the Province of Carolina, and in defence of this Law. But he never thought fit to lay before me either in writeing or otherwise any Considerations or reasons whatsoever for the passing of the said Law.

For these reasons therefore I am humbly of opinion That this Act is not proper to be passed into Law.

I have alsoe perused and Considered the severall other following Acts. Entituled

1 Passed 18 Aug 1721 An Act for a most Joyfull and just Recognition of the imediate lawfull and undoubted Succession

-ion

ion of his most Sacred Majesty King George to the Crowne of Great Britaine France and Ireland, of the Province of South Carolina and all other his Majestys Dominions Passed Ditto. 2. An Act for establishing the Tranquility of this his Majestys Province of South Carolina

3. — An Act for confirmeing and continueing the severall Acts therein mentioned And for Collecting the Arrears of Taxes and confirmeing Judiciall Proceedings in the Courts of Law.

Passed in Sept 1721

4. — An Act for preventing the spreading Contagious Distempers

5. An Act for the Speedy recovery of Small debts

6. An Act for the better settling and regulating the Militia

7. — An Act for establishing a Court of Chancery in South Carolina

8 — An Act for maintaining a Watch and Keeping good order in Charles Town

9. — An Act to alter the bounds of St Georges Parish

10 — An Act against excessive usery.

11 — An Act to impower the Commissioners of the High Roads &c to alter the same for the better conveniency of the Inhabitants

12 — An Act for appointing Agents to Solliset Affairs in England

passed in Sept. 1721

14 — An Act to ascertain the manner of electing members of Assembly, and to appoint who shall be deemed capable of choosing or being chosen Members.

16 — An Act for establishing Precinct and County Courts.

18. — An Act for ascertaineing publick officers fees &c.

19 — An Act for Erecting the Settlement of Wineau in Craven County into a distinct parish from Saint James's Santee in the said County. And

An Act for repaireing the Causeway leading to Ashley River Ferrey &c And for vesting the Ferrey in Captain Edmund Bellinger.

To all which I have no Objection to their being passed into Law. All which I humbly Certifye to your Lordshipps. And am

My Lords

Your Lordshipps most Obedient

and most humble Servant

Richd West

26th October 1722

Endorsed Mr Wests Report upon sevl Acts sent him the 26th of June 1722, dated October 26 1722. passed in August & Sept. 1721 Objections to One, Mr West in this Report Objects to an Act for regulating the Indian Trade, but that Act was repealed by one passed in 1725 & to, and has never been revived. And a Temprary Law passed in 1721 & 21 continued by another passed in 1722, & 1st to 1726, are not compld of

Recd Octr 26th 1722

Entered in 3d primo March 28th 1725

B. P. R. O South Carolina B T Vol 10 Fol

(22nd March 1722/3)

To the Rt Honble the Lords Commissrs for Trade & Plantations

The humble Memorial of Francis Yonge Agent for the Province of S. Carolina

May it Please Your Lordships

Having perused a Report to Your Lordships by Richd Hest Esq on several of the Laws past in Carolina, and in perticuler on that for Regulating the Indian Trade I humbly take leave to Represent to Your Lordships in Justification of that Laws as follows.

That by the ill Management & bad Conduct of those Persons who are Employd to Trade among the Indians, a very few Years since, the Indians were provoked to a War with the People of Carolina, who (tho' they did not wholy overrun the Settlement as might have been feared) did nevertheless destroy several hundred Familys & Intaild such a Debt on ye Province to Defend themselves as they Yet Groan under; besides the Odium generally thrown on them, as if it was the whole Body, or at least a Major part of them, had been Guilty of such ill practices towards the Barbarians, as to provoke them to fall on them, whereas the truth is, none but People of

of the vilest sort will go among them to reside and Trade, who by cheating and ill useing them Stir them up to revenge those Injurys on the Innocent, to prevent which, the Act now Spoken of, was made.

The Exceptions to it, as mention'd by Mr West, are these viz.t

First ____ 'That by the Genll words of the Act, the 'Inhabitants of Virginia are obliged to take out Licences 'at Charles Town, and to be under the same Regulations 'as our own Traders, which he thinks (this confined only 'to the People of Carolina) are too hard and arbitrary. for

Secondly ____ The Commrs Appointed by the Act have a Power of Trying the Traders wholy vested in them, and of Imposing as many Fines of Ten pounds as there are Complaints against the said Traders, and all this with a Jury, and on the Single Evidence of an Indian

I take these two Articles to Contain Mr Wests complaint (or rather Mr Carters) which I have put into fewer words, because I would not take up too much of Your Lordships time

May it please your Lordships.

As to the first objection, that by the Genll words of the Act, the Virginians are included in the Law, I take leave to say I believe it was not meant so. not

do

do I see any Possibility of the Carolinians putting such a Law in force, with relation to any other Collony & Especially Virginia, for as Mr West observes thō the Virginians pass thrō some remote part of Carolina, it is neat 500 Miles from any of the Settlements, & therefore to offer to seize their Goods, Molest their Traders, or in anyurse oblige them to the Terms of this Act, would be in its Effects, a Declaration of Warr between the two Provinces, and they that went Strongest would seize the others goods, unless they were obliged to pass by some of our Guarisons, which they are not, but the whole Scope and Design of this Law, is to keep our own Traders in a Due Oeconomy, & to preserve the Indians in the Amity they are now in with us, which cannot be done, if the Greatest care be not taken to keep those persons that go among them in good order. And therefore, thō it may seem hard for an Englishman to be Tryed and Tried without a Jury, and on the bare Evidence of an Indian, as Mr West Secondly objects. Yett in answer to that

Your Lordshipe may be pleased to Consider that Ten pounds Carolina money (above which the Commissrs cannot fine any One) is not, nor has not been for many Years, above forty Shill Sterl which may by an

Act

Act intitled an Act for the Speedy Recovery of small Debts, returnd Your Lordships with this Report of Mr Weste I am now observing upon without any Objection. I say by that Act, to the value of Tenn pounds Carolina money or ten pounds of Rice may be Recovered by a Justice of Peace, & why not a fine of that Value Imposed by three Comissr. And althó no Indian or Negro is properly by the Laws of the Province an Evidence against a white Man. Yett for Facts done among the Indians in their own Settlements, & by those Traders who Usual Characters I have already given your Lordships. The Governmt of Carolina can come to the truth of them, by no other means then Indian Evidence, nor the Indians expect any Satisfaction, but from what they call Head, & the Great men, for it cannot be presumed they understand the Forms, or can stay the Seasons that the Courts of Justice sitt, but expect a Speedy Satisfaction, and have much oftener been known to hide then expose their ill Usage, neither can it be supposed, that the Commissrs will make an ill Use of the Power Granted them by this Act, in prejudice of their own Countrymen to Favour an Indian, or impose a Fine, or any other punishment, unless there be a real Necessity for it.

Since

Since therefore the whole Oeconomy of the Traders on which our Peace and good understanding with the Indians Depend, I humbly hope your Lordships will not be against this Acts Subsisting, at least until your Lordships are inform'd of any ill Consequences from it, which I am persuaded You will never do, or until a new Act can be past in more express Terms, not to give Umbridge to the Virginians.

I must further begg leave to Acquitt my selfe of what Mr West lays to my charge in his Report to Your Lordships. That he had sent to me to Inform me, that the Agent of Virginia had Lodged Objections with him, against the passing this Act. Mr West did send for me. & told me there were Exceptions made to the Act, but Refused to tell me what the Objections were, or who was the Objector, but told me he would send for me againe when he had spoke to Mr Bamfield, but I never heard any thing from him after on that head. & thinking I was to answer Objections against, & not to give Reasons for passing the Act I omitted saying that to Mr West, which I now with ye Greatest Submission lay before your Lordships.

I think this also a proper time to Acquaint Your Lordships, That Mr Spotswood the late Govr of

Virginia

Virginia proposed to the Cherikee Indians, when they were down with him in October 1721, to Conclude a Peace for them and the Chickasaws, (who are above 600 Miles to the Southwd of Carolina) with the Indians of the five Nations which I am directed to Acquaint Your Lordships, is thought in Carolina, may be of ill Consequence to that Province. The Cherikees being one of the greatest Nations of Indians, and Inhabiting the Mountains in the Western parts of Carolina, Who they have found by Experience love Warr so well, that when they are at Peace with their Neighbour Indians, they will be likely to fall on their Settlements, and therefore have thought it good Policy, at least not to Interfere with them in their Warrs in which they have been several Years Engaged, wth the Creeks and five Nations, ever since their unhappy falling on the Settlement of Carolina, in Conjunction with the said Creeks, and many other Nations of Indians, then in Confederacy with them.

It is therefore humbly hoped that his Majties Governour of Virginia, the other Governours in North America, may have Instructions, not to propose or Meditate a Peace between any Indians not actually Residing in such Government, without previously Consulting the

Governmt

Government where such Indians Reside and Inhabit. And that it may be Recommended to them, to pass proper Laws, to bind & Restrain their Traders from Insulting and ill useing the Indians, since the Peace of all the Plantations in America depends on it, and the ill practice of the Virginia Traders may be Revenged on the Carolinians. which is most humbly Submitted to your Lordships by

Your Lordships
most obedient, & most
humble Servant
Ira Yonge

London
March the 22d 1722/3

Endorsed. Mr Yonge's Memorial, on Mr Weste's Report upon the Carolina Indian Trading Law dated ye 22d March 1722/3 Recd March 26th 1723 Read } Entered in ye Journal } March 28th 1723

B.P.R.O. South Carolina B.T. Vol 11 A 57

(26th October 1722)

To the Right Honourable the Lords Commissioners of Trade and Plantations

My Lords

In Obediance to your Lordshipps Commands I have perused and Considered the severall Acts following passed at Carolina, in Sept. 1721.

15. passed in Septr 1721. As to the first of which Entituled An Act for appointing a publick Treasurer and other publick Officers. It is (amongst other things) Enacted That the right of appointing of the Treasurer, Comptroller, and Powder Receiver, of the Province shall be singly in the Generall Assembly. There are other generall words, by which it is likewise (amongst other things) Enacted. That for the future all civill officers whatsoever who Receive any Salarys out of the publick Treasury shall be nominated and appointed displaced and Removed, only by the Generall Assembly.

I submit to your Lordshipps whether this Act is fitt to be passed into Law. Since it cuts up by the roots all the Kings Prerogative and bars the Crown from ever intermedling with any of their civill employments

I

I have perused also and Considered the severall other Acts following. Entituled

17 An Act for raiseing Seventeen Thousand two hundred forty eight pounds and six pence by a Tax on lands and Slaves for defrayeing the Charge of the severall Forts and Garrisons discharging the publick debts, and providing for the other Emergencys and contingent charges of the Government

19 -- An Act for granting to his Majestye a duty and Imposition on Negroes, Liquors and other goods and Merchandizes Imported into and Exported out of this Province

August & Sept^r 1721. A -- Ordinance for setling the Jury Lists

B - An Ordinance of the Generall Assembly for appointing a Comittee for Reviseing the Laws

C - An Ordinance of the Generall Assembly appointing Comonissioners for defrayeing the charges of the Indians &c^t

D --- An Ordinance of the Generall Assembly appointing the Committee of Correspondence &c^t

An Ordinance to impower and direct the Commissioners of the Tax to pay the severall Sumes therein mentioned

To all which I have no objection to their being

being passed into Law. All which I humbly Certifye to Your Lordshipe And am

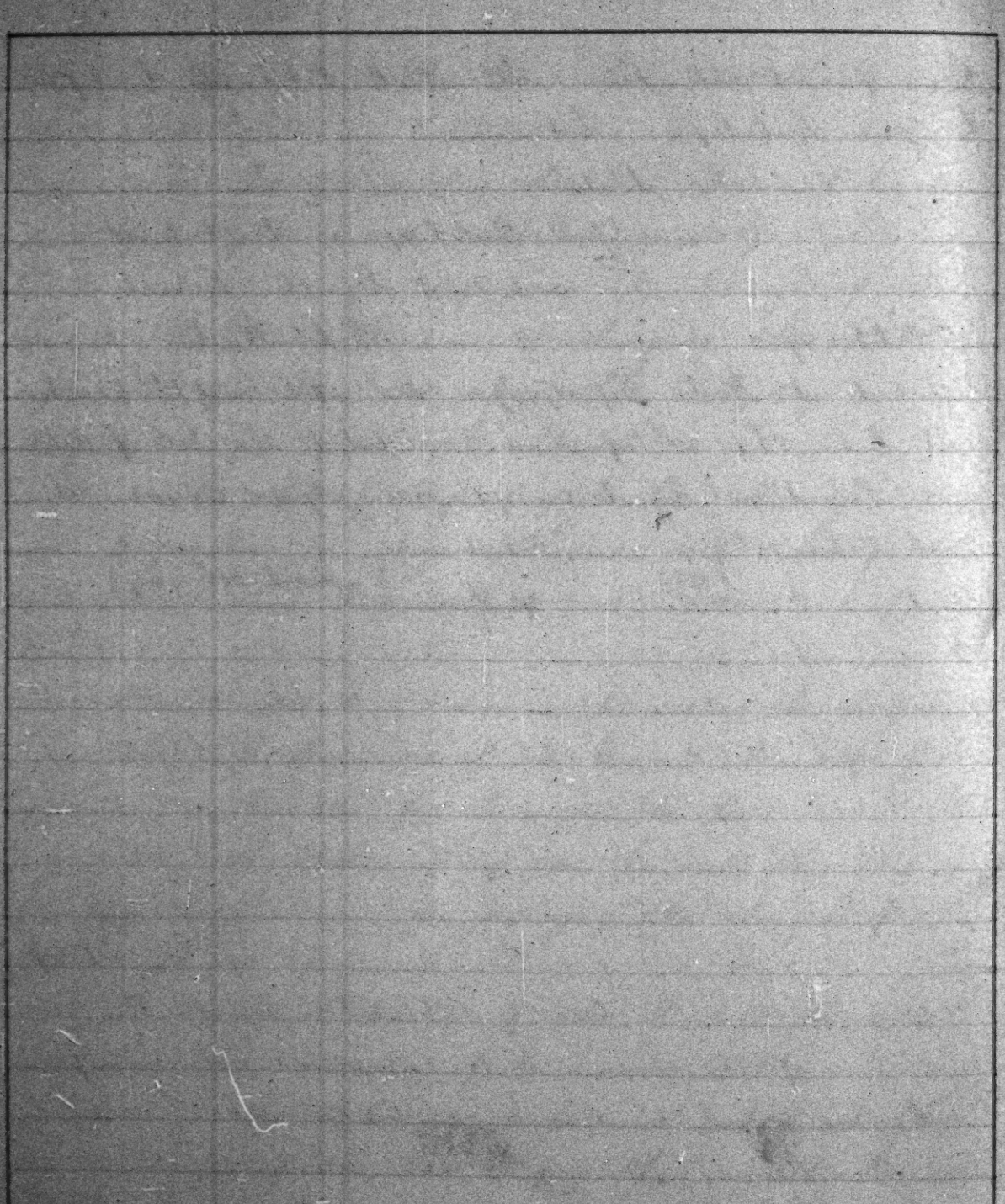
My Lords

Your Lordshippe most Obedient and most humble Servant

25th October 1722 Richd West

[Endorsed Mr Weels Report upon sevl Acts and Ordinances sent him the 28th of June 1722 dated the 26th of Octr 1722 Passed in August & Septbr 1721 Objectns to one

Recd Octor 26th } 1722 Entrd in } March 28th 1740]
Read } yr Primer }



B P R O South Carolina B T Vol 14 N 68.

(12th December 1726)

To the Right Honorable The Lords Commissioners of Trade and Plantations.

My Lords

In Obedience to Your Lordshipps Commands Signified to me by Mr Popples Letter of the 27th Sept last I have perused and Considered the Following Acts pass'd in South Carolina in the Years 1722. 1720 and 1724.

An Act to revive and continue An Act Entituled an Act for carrying on the Building, and for finishing and compleating the Brick Church in Charles Town and declaring it to be the Parish Church of St Philips Charles Town.

An Act for the better ordering and governing of Negroes and other Slaves.

An Act for the Amendment of an Act of this present Genl Assembly Entituled an Act for the better regulation of the Indian Trade by appointing Commrs for that purpose and to Survey and Supervise the Garrisons and to Settle the Bounds of the Indians.

An Act to encourage the making of Hemp.

An Act for authorizing the Genral Court in Charles

Charles City and Port, to exercise severall Powers and Privileges allowed to the County and Precinct Courts in this Province and some other regulations

An Act for granting to his Majesty a Duty and Imposition on Negroes Liquors and other Goods and Merchandises for the Use of the Publick of this Province

An Act for the Strengthening and Securing the Frontiers of this Province by continuing the Garrison at Fort Moore Erecting a Garrison at the Pallachicola old Town on the Savana River, Repairing the Fort at Beaufort and continuing the two Scout Boats and Limiting the Bounds of the Indian Hunt by the Savana River

An Additional Act to an Act Entituled An Act for Establishing County and Precinct Courts

An Ordinance of the Generall Assembly

An Act for regulating the Guard at Johnsons Fort and for the keeping good Orders in the severall Forts and Garrisons, under the pay and Establishment of this Province

An Act for the Keeping and maintaining a Watch and Good Orders in Charles Town

An Act for Settling and Regulating the Pelotage of this Province

An Additional Act to An Act Entituled

An

An Act for the better Regulation of the Indian Trade by appointing Commrs for that purpose pass'd 19th Sept. 1721

An Act for the better Security of this His Majesty's Province by putting the Inhabitants thereof in a better Posture of Defence

An Act to revive and continue the Severall Acts there in Mentioned

An Act to appoint the Commissioners to receive the Severall Summs of Money due on Bonds for money taken up on Interest from the Publick

An Act for Joyning and annexing the Inhabitants of the Ferry Path to the Same Division with the Inhabitants of the South side of Ashley River from Roopers Bridge to the Line that Divides the Parishes of St Andrews and St Georges and Some other Powers given to the Commrs of the Highways

An Additional Act to an Act to appoint the Commrs to receive the Severall Sums of money due on Bonds for Money taken up on Interest from the Publick

An Additional Act to an Act for the keeping and Maintaining a Watch and good Orders in Charles Town

An Act for appointing a Commissioner for managing the Affairs of the Indians and for Supervising the Garrisons in the Room of the Honble Jas Moore Esq Deceased

An Act for raising the Sum of £672 on Lands and Slaves for defraying the Contingent Charges of the Government from

from the 29th day of Sept. last past, unto the 29th Day of Sept. which shall be in the Year of our Lord, 1726

An Act for calling in and Sinking the Paper Bills

To all which I have no objection to their being pass'd into Law which I humbly Submitt to Your Lordships and I am

My Lords

Your Lordships most obedient
faithfull humble Servant
Fran. Fane

Decbr 15th 1726

[Endorsed. Mr Fanes Report upon several Acts pass'd at South Carolina, in 1722, 1723 & 1724 Dated Decbr 10th 1726
No Objectn Recd Decbr 11th 1726 Read ——— Entered in yr Primer } March 28th 1745]

B P R O South Carolina B T Vol 10 2b 39

(11th January 1727/8)

To the Right Honourable the Lords Commissioners of Trade and Plantations

My Lords

In Obedience to Your Lordshipps Comands signified to me by Mr Popples Letter of ye 28th Sept 1727 I have perused and Considered the following Acts passed at South Carolina in 1723. 1724 & 1725 Entituled.

An Act for Settling a Fair and Market in the Town of Dorchester.

An Act for the better Regulation of the Indian Trade.

An Act for the Encouragement of making Salt

An Act for vesting the making of Salt in William Mellichamp

An Act for preventing the Sea's further incroachment

An Act to revive the Severall Acts therein mentioned

An Act for Establishing a Ferry from the Plantation of James Wyeham

To all which I have no Objection in point of Law which I humbly certify to Your Lordshipps and am

My

My Lords

Your Lordshipps most
obedient Faithfull
humble Servant
Jan: Jane

January ye 11th 1724/5

[Endorsed Mr Jane's Report upon eight Acts passd at South Carolina, in 1722 1724 & 1725 Dated the 11th of Jan.y 1724/5 (No Objection)

Read Jan.y 19th 1724/5 } Entd in ye Primer } March 25th 1725
Read _____ }

B P R O South Carolina B T Vol xx H 60

(4th June 1728)

To the Right Honourable the Lords Commissioners for Trade and Plantations

My Lords

In Obedience to Your Lordshipps Commands Signified to me by Mr Popples Letter of the 17th May last, I have perused and considered Two Acts passd at South Carolina in the Year 1727 Entituled

An Act for carrying on Scouall Expeditions against our Indian and other Ennemies and for defraying the Charge thereof. and

An Act for appointing a Commission for managing of the Affaires of the Indians and for Supervising the Garrisons in the Room of Collonel George Chicken deceased.

To all which I have no Objection in point of Law. which I humbly submitt to Your Lordshipps and am

My Lords

Your Lordshipps most

Obedient Faithfull humble Servant

Fran: Fane

Iune the 4th 1728

[Endorsed Mr Fane's Report upon two Acts passd at South Carolina in 1727 Dated 4th of June 1728

Read

365

(No Objection) Rec[d] June y[e] } 1725 Entr'd in } March 28[th] 1726
Read —— } ye Primer }

B P R O South Carolina B T Vol 10 Fol 29

(28th February 1732/3)

This Indenture made the Twenty eighth day of February Anno Domini One thousand seven hundred and thirty two and in the Sixth Year of the Reign of our Soveraign Lord George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c Between the Right Honourable John Lord Carteret Baron of Hawnes in the County of Bedford of the one part and the Trustees for establishing the Colony of Georgia in America of the other part Whereas his said present Majesty by his Letters Patent bearing Date the ninth day of June One thousand seven hundred and thirty two for Settling a Colony and making an Habitation and Plantation in that part of his Province of South Carolina in America now called Georgia and for encouraging and accomplishing so excellent a Work did out of his Special Grace certain Knowledge and meer Motion give and grant unto the said Trustees for establishing the said Colony of Georgia in America and their Successors under the Reservations Limitations and Declarations therein Expressed seven undivided Parts (the whole into Eight equal Parts to be divided) of all those Lands, Countries & Territories Situate lying and being in that part of South Carolina

in

in America, which lyes from the most Northern Stream of a River there commonly called Savannah all along the Sea Coast to the Southward unto the most Southern Stream of a certain other great Water or River commonly called Alatamaha and Westward from the Heads of the said Rivers respectively in direct Lines to the South Seas And all that Space Circuit and Precinct of Lands lying within the said Boundaries with the Islands in the Sea lying opposite to the Eastern Coasts of the said Lands within Twenty Leagues of the same which are not already inhabited or settled by any Authority derived from the Crown of Great Britain together with all the Soils Grounds Havens Ports Gulfs and Bays Mines as well Royal Mines of Gold and Silver as other Minerals Precious Stones Quarries Woods Rivers Waters Fishings as well Royal Fishings of Whale and Sturgeon as other Fishings Pearls Commodities Jurisdictions Royalties Franchises Privileges and Preheminences within the said Territories and the Precincts thereof and thereunto in any sort belonging or appertaining, and which his said Majesty by his Letters Patents could or might grant in as ample manner and sort as any of his Progenitors have hitherto granted to any Company Body Politick or Corporate or to

any

any Adventurer or Adventurers Undertaker or Undertakers of any Discoveries Plantations or Traffick of in or unto any Foreign Parts whatsoever and in as large and ample manner as the same are therein particularly mentioned and expressed. To have hold possess and enjoy the said seven undivided Parts (the whole into Eight equal Parts to be divided as aforesaid) of all and singular the said Lands Countries and Territories with all and singuler other the Premisses therein before granted or mentioned or intended so to be to them the said Trustees for establishing the Colony of Georgia in America and their Successors for ever for the better Support of the said Colony to be holden of his said Majesty his Heirs and Successors as of the Honour of Hampton Court in the County of Middlesex in fee and Common Soccage and not in Capite And Whereas the said John Lord Carteret is seized in fee to him and his Heirs of the other undivided Eighth part of all and Singular the said Lands Countries and Territories and Premisses before mentioned and described in the said in part recited Letters Patent Now this Indenture witnesseth that the said John Lord Carteret for and in Consideration of the Sum of five Shillings of lawfull Money of Great Britain to him in Hand paid by

by the said Trustees for establishing the Colony of Georgia in America the Receipt whereof is hereby acknowledged and also for the propogating encouraging & carrying on so good and charitable an Undertaking as in his said Majesty's Letters Patents is specified and expressed hath given granted bargained and sold and by these Presents doth give grant bargain and sell unto the said Trustees for establishing the Colony of Georgia in America and their Successors All that one undivided Eighth part of or belonging to the said John Lord Carteret (the whole into Eight equal Parts to be divided) of and in all and singular the said Lands Countries Territories and Premisses before mentioned and described in the said in part recited Letters Patent with the Appurtenances and all the Part and Share Estate Right Title Interest Use Trust Possession Property Claim and Demand whatsoever both in Law and Equity of him the said John Lord Carteret of in and to all and singular the Lands Countries Territories and Premisses aforesaid lying and being within the Limits and Boundaries in the said recited Letters Patent mentioned and described with the Appurtenances and every part and parcel thereof together with all and singular Royalties Rights of Government Jurisdictions Privileges Prerogatives Rights Liberties

Liberties Immunities and Franchises whatsoever and of what Kind soever within the said Territorys and Premisses to him the said John Lord Carteret belonging or any wise appertaining And the Reversion and Reversions Remainder and Remainders Rents Issues and Profits thereof To have and to hold all and Singular the said one undivided Eighth part of all and Singular the said Lands Countries and Territories and all and Singular other the Premisses hereby granted bargained and Sold or mentioned or intended so to be and every Part and Parcel thereof with all and Singular the Appurtenances unto the Trustees for establishing the Colony of Georgia in America and their Successors upon the several Trust and to and for the several Intents and Purposes and Subject to the several Conditions Limitations and Declarations in his said present Majesty's Letters Patents specified and contained and to and for no other use Intent or Purpose whatsoever Yielding and Paying therefore to the said John Lord Carteret and his Heirs Yearly for ever the Sum of Twopence for the Eighth part of every one hundred Acres of the said Lands which the said Corporation shall grant demise plant or Settle the said Payment not to commence or be made until ten Years after such Grant Demise Planting or Settling and to be answered and paid unto the said

said John Lord Carteret and his Heirs and in such manner and in such Species of Money or Notes as shall be Current in Payment by Proclamation from time to time in the said Province of South Carolina. In Witness whereof the said John Lord Carteret hath to these Presents set his Hand and Seal and the Common Council of the Corporation of the said Trustees for establishing the Colony of Georgia in America have to another part thereof affixed the Common Seal of the said Corporation the Day and Year first above written

Endorsed South Carolina. Georgia February 28th 1732
Copy of Grant from the Right Honble John Lord Carteret to the Trustees for establishing the Colony of Georgia in America of his undivided Eighth part of the Lands, Countries, Territories and Premisses described in his Majesty's Letters Patent granting the other seven undivided parts thereof. Communicated to the Board by Sr John Philipps

Recd March 1st
Read } 1744/5

B P R O South Carolina B T Volm 20 61

(1st October 1730)

To the Right Honble the Lords Commissioners for Trade and Plantations

My Lords

In Obedience to Your Lordships Commands Signified to me by Mr Popples Letter of the 4th of June last I have reconsidered the Six following Acts passed in South Carolina in 1726.

An Additional Act to an Act for the Tryal of Small & mean Causes.

An Additional Act to an Act entituled an additional Act to an Act for keeping & maintaining a Watch & good Orders in Charles Town.

An Act to preserve the Navigation & Fishery in the Several Rivers and Creeks in this Province.

An Act for the Better Securing this Province from Negroe Insurrections and for encouraging of Poor People by employing them in Plantns.

An Act for the Better Regulation of the Indian Trade

An Act to revive the Several Acts therein mentioned

To which I have no Objection in point of Law

I

I am -

My Lords

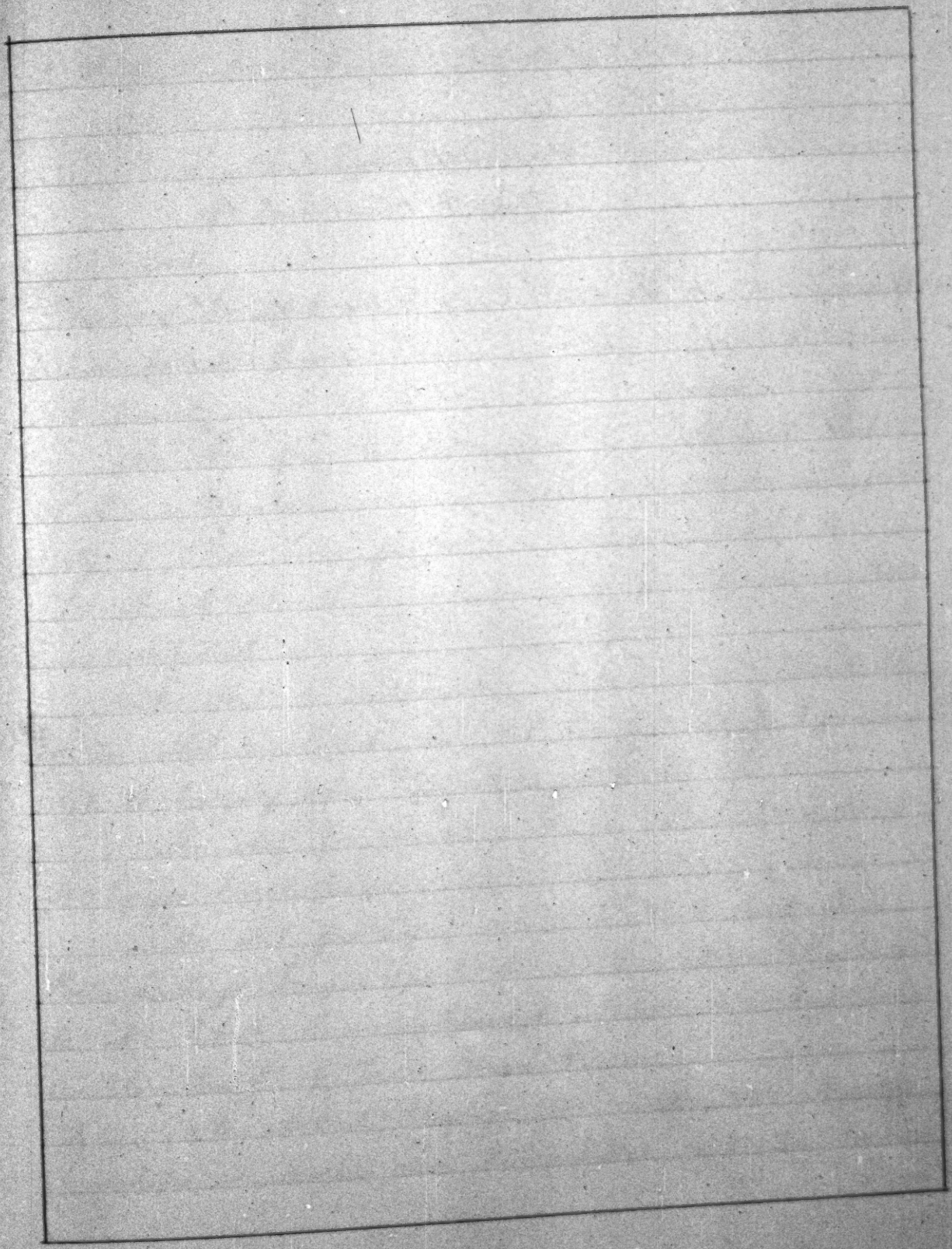
Yr Lordships most

Obedient humble Servt

Oct 6th 1730 Fran: Fane

[Endorsed Mr Fane's 2d Report dated Octo 6th 1730 on six Acts. of South Carolina, Passed in 1721 No Objections

Recd Novr 4th 1730 } Entrd in
Read —— } yr Primer } March 28th 1746]



B P R O South Carolina B T Vol 10 K 62

(6th June 1735)

To the Right Honorable the Lords Commissioners of Trade and Plantations

My Lords

In Obedience to Your Lordships Comands Signified to me by Mr Popple I have Considered the five following Act passed in South Carolina in 1733 Entituled

An Act for the better and more effectual Relief of his Majesties Colony of Georgia and for Continuing the Duty of Three Pence p Gallon on Rum for the use of the Brick Church in Charles Town for the time therein mentioned

An Act to Supply the Defects in the Execution of an Act entituled An Act for Calling in Reprinting and Exchanging the Paper Bills of Credit

An Act for Building the Parochial Church of St Georges Dorchester.

An Act for Laying out a Publick Road from Peter Leubreys Ferry (opposite to Jonathan Skrines Landing) to Mr Robert Scrivens Plantation (opposite to Jorge Town) in the Parish of Prince George Winyaw.

An Act to Encourage the Settling His Majesties Townships on Santee and Wateree Rivers and also Savanna Town

Town and the Township on the Head of Pon Pon River.

To all which I have no objection in point of Law I am

My Lords

Your Lordships most

Obed^{t} humble Serv^{t}

6th June 1735 Tran: Jane

(Inclosure)

To the Right Honourable the Lords Commissioners of Trade & Plantations.

My Lords

In Obedience to Your Lordships Comands Signified to me by M^{r} Popple I have considered the five following Acts passed in South Carolina in 1733 entituled

An Act for Laying out a Publick Road from the Ferry at M^{r} John Parkers Plantation on the West side of Pon Pon River in the Parish of S^{t} Bartholomew to the Round O Savanna.

An Act for Raising the Sume of Forty Thousand one hundred and sixty pounds twelve Shillings and six pence, and for Appropriateing the Sume of Four Thousand one hundred and ninety pounds ten Shillings and ten pence now in the Treasury unapplied for Defraying the Charges of

of the Government for one year comencing the 26th Day of March 1732. and ending the 26th day of March 1733.

An Act to Encourage the Destroying of Beasts of Prey.

An Act to Encourage Charles Lowndes Esqr to make a New Machine to Pound and Beat Rice and to appropriate the Benefit thereof to himself

An Act for the Encouragement of Francis Gracia of Charles Town in the Province of South Carolina in Projecting and making an Engine for the more expeditious beating and pounding of Rice

To all which I have no Objection in point of Law I am

My Lords

Your Lordships most
Obdt humble Servt
Fran Fane

6th June 1735

[Endorsed Mr Fane's Reports upon Ten Acts passd at So Carolina in 1733 Dated the 6th of June 1735 No Objections

Recd June ye 10th } 1735 Entrd in ye Primer } March 28th 1745]
Read ____

B P R O South Carolina B T Vol IV H63

(6th June 1734)

To the Right Honourable the Lords
Commissioners of Trade and Plantations.

My Lords

In Obedience to Your Lordships Commands Signified to me by Mr Popple I have Considered the five following Acts passed in South Carolina in 1733 and 1734. entituled

An Act for Establishing a Ferry at North Edisto River from the Place called the Point of Pines, belonging to Mr Paul Grimball on Edisto Island, to Mr Bryans Landing near Leadenwaw Creek &c

An Act for Granting to His Majesty an additional Duty on Madera Wine &c

An Act for the Rebuilding a Bridge over Pon Pon River and to appoint Comissioners to lay out a Road from thence to the Ferry on Combee River.

An Act for Dividing the Parishes of St Pauls in Coleton County and Prince George in Craven County.

An Act for Regulating the Militia

To all which I have no Objection in point of Law

I am

My Lords

Your

Your Lordships most
Obedient humble Servt
1th June 1736 Jran Jane

(Incloswre)

To the Right Honourable the Lords commissioners of Trade and Plantations.

My Lords

In Obedience to Your Lordships Commands Signified to me by Mr Popple I have Considered the five following Acts passed in South Carolina in 1733 & 1734 entituled

An Act for Regulating the Port & Harbour of Charles Town and the Shipping frequenting to the same

An Act for Repairing enlarging and Paving the Parochial Church of St Georges Parish in Dorchester.

An Act for the better Regulating the Courts of Justice in this Province and for altering the time of Holding Courts

An Act for Raising the Sume of Forty one Thousand five hundred and eleven Pounds nine Shillings and eleven pence half penny for Defraying the Charges of the Government for one Year Comenceing the 26th day of March 1733 and ending the 26th day of March 1734.

An

An Act for Clearing Cleansing and making Navigable the Head of Ashley River from the Bridge commonly called Warnings Bridge, and from the said Bridge to Dorchester &c

To all which I have no Objection in point of Law I am

My Lords

Your Lordships most
Obedient humble Servt
Jran Jane

1th June 1735

(Inclosure)

To the Right Honourable the Lords
Comissioners of Trade & Plantations

My Lords

In Obedience to Your Lordships Comands Signified to me by Mr Popple I have considered the five following Acts passed in South Carolina in 1733 and 1734 entituled

An Act for Establishing a Ferry at the Plantation of William Watson in Christ Church Parish commonly called Habeau, to Charles Town and for making a Publick Road in the sd Parish &c

An Act for Establishing a Ferry from the Plantation of

of Colonel Samuel Prioleau called Pattersons Point or Port Royal Island to the Lands of Thomas Inns Esqr on the Indian Land and also a Ferry over Combahee River &c.

An Act for vesting the Ferry over Santee River in the Parish of St James Santé in Craven County in Joseph Spencer of the sd Parish his Executors &c

An Act for the Establishmt and Regulation of two Ferrys at the particular places mentioned therein.

An Act for vesting the Ferry over Ashley River in Edmund Bellinger Esqr for a number of Years therein mentioned.

To all which I have no Objection in point of Law I am

My Lords

Yr Lordships most Obdt humble Servt

6th June 1735 Fran Fane

[Endorsed Mr Fane's Reports upon fifteen Acts passed in South Carolina in 1733, & 1734. Dated the 6th of June 1735 (No Objection)

Recd June ye 10th } 1735 Entered in ye Primer } March 28th 1736

Read ——

B P R O South Carolina B T Vol 11 Abs

(13th October 1735)

To The Right Honble The Lords Commissioners
for Trade and Plantations

My Lords

In Obedience to your Lordships commands signified to me by Mr Popple I have considered the Seven Following Acts passed at South Carolina in 1703.

An Act for giving farther Encouragment to the Soldiers serving in the Several Garrisons and Scout in this Province.

An Act for regulating Patrols in this Province.

An Act for the founding and erecting, Governing, Ordering, and Visiting a Free School at the Town of Dorchester in the Parish of St Georges in Berkley County for the use of the Inhabitants of the Province of South Carolina.

An Act for the better and more certain regulating and adjusting the Meats and Boundaries of Queen Street formerly called Dock Street in Charles Town, and for appropriating such Waste or vacant Lands, as shall be found on the North side of the Street.

An Act for the better settling & regulating
Pilots

Pilots and for Erecting of Beacons near y^e Barr and Harbour of Charles Town.

An Act for Erecting a Free School at Childs Bury.

An Act for the Encouragment of Richard Hall to forward y^e Improvement of Hemp and Flax in this Province.

To all which I have no Objection In point of Law.

I am My Lords

Your Lordships most

Obedient Servant

Fran Fane

October y^e 13^th 1735

[Endorsed. Mr Fane's Report upon seven Acts passd at S^t Carolina in 1733 Dated 13^th Octob^r 1735 / No Object^n

Recd Octob^r 14^th } 1735
Read ____ }

Enterd in } March 28^th 1745 }
Y^e Primer }

B. P. R. O South Carolina B T Vol 14 K 65

(13th October 1736)

To the Right Honble the Lords Commissioners for Trade & Plantations

My Lords

In Obedience to Your Lordships commands signified to me by Mr Popple I have considered the Ten Following Acts passed at South Carolina in 1732

An Act to provide for the better Security of this Province against the Incursions of the Indian Nations

An Act to revive and continue the Several Acts of the General Assembly of this Province therein mentioned.

An Act for ease in pleading troublesome and contentious Suits prosecuted against Justices of the Peace Constables and certain other His Majesties Officers for the lawfull Execution of their Office.

An Act to settle and Establish the Surveyor Generals Fees

An Act to impower the Govern[r] of this Province to Nominate a Comm[r] in the room of the Hon[ble] Francis Yonge Esq[r] d[e]

An Act for the further regulation of the Indian Trade and to revive and continue the Act therein mentioned.

An Act for the keeping and maintaining a Watch

Watch and good Orders in Charles Town.

An Act to impower the Govern[r] of this Province to appoint Comm[rs] and Surveyors for running the bounds of the Several Countys in this Province.

An Act for settling the Salarys of the Masters of the Free School in Charles Town for the use of the Inhabitants of South Carolina.

An Act for making more Effectual Wills and Testaments and for making Valid all former Wills in this Province according to the Tenour of the same and for putting in force Several useful matters herein comprized

This appears to be a very proper Laws It being intended to inforce our Statutes of Wills

To all which I have no Objection in point of Law.

I am My Lords

Your Lordships most

Obedient Servant

Fran: Fane

October 3[d] 10[th] 1735

(Endorsed M[r] Fane's Report upon Ten Acts pass'd at S[o] Carolina in 1733 Dated the 13[th] October 1735 / No Objection)

Rec[d] Octob[r] 16[th] 1735
Read ——

Entr'd in
3[d] Primer
March 25[th] 1745

B P R O South Carolina B T Vol 10 H 66

(26th May 1736)

To the Right Honble The Lords Commissioners
for Trade & Plantations.

My Lords

In Obedience to Your Lordships commands signified to me by Mr Popple I have considered the eight following Acts passed in South Carolina in 1735

An Act for laying of Buoys and Erecting and Supporting Beacons or Land Marks near the Bar of the Harbour of George Town Winyaw & for Building and repairing one or more Pilot Boat or Boats to attend the Bar of the said Harbour, and for the better settling and Regulating the Pilotage of the said Harbour

An Act for raising the Sum of £12,292 18s 1d for defraying the Charges of the Government for one Year Commencing the 25th Day of March 1734 and ending the 25th Day of March 1735

An Act for raising a Fund for the better support and Regulation of the Indian Trade.

An Act further to Empower the Commrs of the High Roads in the Parishes of St Philips, St Andrews, and St James's Goosecreek to Compleat and Finish the Roads in the said Parishes respectively.

An

An Act to provide a full Supply for Subsisting poor Protestants coming from Europe and Settling in His Majesty's New Townships in this Province and for Establishing a Fund by an annual Tax on the Inhabitants of this Province for paying off and cancelling the remaining Publick Orders which were issued in the Year 1731.

An Act to appoint and Enable certain Commissioners to keep in Repair the Road leading from Beacons Bridge in Berkley County to the Parish Line near Jacks Savanna And also Commrs to Lay out a Road from thence to the Road on the East Side of a Swamp at a place called Mrs Draytons Cowpen.

An Act for the more Effectual preventing the Counterfeiting the Bills of Credit of this Province and for calling in and Reissuing such of the denominations of the Current Bills of this Province as are or shall be supposed to be Counterfeited.

An An for Laying out a Road from the Round O Savanna to the Publick Road Leading from Jacksons Ferry to the Horse Shoe Savanna and to appoint Commrs for the same and to Invest the Commrs Appointed In an Act Entituled an Act for Establishing a Ferry from the Plantation of Colo Saml Prioleau called Pattersons Point on Port Royal Island to the

the Land of Thos Inns Esq on the Indian Land and also to Erect a Ferry over Combahee River and to appoint Commrs to lay out Roads from thence to Pumpetough and to Port Royal Ferry with the same power and Authority as any Commissioners of Highways have in this Province.

To all which I have no Objection in Point of Law.

I am

My Lords

Your Lordships most

Obedient Humble Servant

May ye 26th 1736 Jran Jane

[Endorsed Mr Jane's Report upon eight Acts pass'd in South Carolina in 1735 Dated the 26th of May 1735 (No Objection) Recd May 31st } 1736 Read —— } Entered in ye Primer } March 21st 1745

B. P. R. O. South Carolina B T Vol III 467

(24th December 1737)

To the Right Honble The Lords Commissioners
For Trade and Plantations

My Lords

In Obedience to Your Lordships commands Signified to me by Mr Popple I have considered the Ten following Acts passd at South Carolina in 1736 Entituled

An Act further to empower the Commissioners of the High Roads in the Parishes of St Philips St James Goose Creek and St Andrews

An Act for Appointing Commrs to lay out a Road from the Road that leads from Kill. Town to Charles Town to the Road that Leads from Smiths Ferry to Charles Town and to keep the same in Repair.

An Act for Stamping, Emitting and making Current the Sum of Two hundred and ten thousand pounds in Paper Bills of Credit, and for ascertaining and preserving the future value thereof to be Let Out at Interest on good Securities at Eight pounds p Cent p Ann and for exchanging the Paper Bills of Credit in this Province, and making them less subject to be Counterfeited, and also to encourage the Importation of Silver and Gold Coin into this Province.

An

An Act for raising the Sum of Thirty thousand three hundred and Eighty Seven pounds three shillings and seven pence for defraying the Charges of the Govern-ment for one Year Commencing the 26th day of March 1735 and Ending the 25th day of March 1736 and for applying the Sum of One Thousand pounds now in the hands of the Publick Treasurer &c.

An Act for regulating the Market in the Parish of St Philips Charles Town and for preventing Forestall-ing Regrating. Ingrossing and unjust Exactions in the said Town and Markett.

An Act for Preventing as much as may be Accid-ents which may happen by Fire in Charles Town.

An Act for Repairing the Old and Building of New Fortifications for the Security and defence of this Province From Attacks by Sea, and for Appointing Com-missioners for Carrying on Such Workes, and for Continuing New Church Street and Little Street, to Ashley River.

An Act for Encouraging the raising of Hemp Flax and Silk within the Province of South Carolina

An Act for the better Relief and Employ-ment of the Poor of the Parish of St Philips Charles Town, and for suppressing and Punishing Rogues, and other Lewd idle and disorderly Persons.

An

An Act for incorporating the Vestry of the Parish of St Thomas in Berkley County and for Enabling the said Vestry more effectually to put in Execution the trusts reposed in them by the Last Will and Testament of Richard Beresford Esqr deceased according to the Charitable and Pious Intentions of the said Testator and to settle and Adjust the Accots of those Persons who have Acted as Vestry Men in and for the said Parish of St Thomas since the Decease of the said Richard Beresford.

To all which I have no Objection in Point of Law.

I am

My Lords

Your Lordships most

Obedt Servant

Fran: Sane

24th Decr 1734

[Endorsed Mr Sane's Report upon Ten Acts passd at South Carolina in 1731 Dated 24th of Decr 1734 No Objection

Recd Jan 16th 1737/8 Entered in

Read ——— Pat Primer } March 28th 1738]

B P R O South Carolina B T Vol 11 H 65

(20th December 1737)

To the Right Honble The Lords Commissioners
for Trade and Plantations

My Lords

In Obedience to Your Lordships commands Signified to me by Mr Popple I have considered the Sixteen following Acts passed at South Carolina in 1736 & 1737 Entituled

An Act to supply the Defects in the Execution of an Act Intituled an Act for raising £ 35 357. 3. 4 for defraying the Charges of the Government for one Year Commencing the 25th day of March 1735 & ending the 25th day of March 1736 and for applying the Sum of £ 1000 now in the hands of the Publick Treasurer being the Surplus of the Country Tax raised in the General Tax for the Year 1734 and in the Execution of another Act Intituled an Act to provide a full supply for Subsisting poor Protestants coming from Europe and Settling in His Majestys Townships in this Province and for Establishing a Fund by an Annual Tax on the Inhabitants of this Province for paying off and Cancelling the remaining Publick Orders which were Issued in the Year 1731.

An

An Act for Settling a Ferry on Santee River, and for vesting the same in John Colleton of Fair Lawn Barony Esqr and his Assigns for the Term of seven years.

An Ordinance for appointing Capt John Hext Comptroller of the Dutys granted to his Majesty by any Act of the General Assembly of this Province. and appropriated by such Act to the use of this Province.

An Act for taking off certain Dutys and Impositions on the Indian Trade and for Indemnifying the Indian Traders from certain Fines penalties and forfeitures.

An Act for Founding & Establishing a Parochial Chappel of Ease at Beech Hill in the parish of St Pauls in Colleton County.

An Act for Establishing and Regulating of Patrols.

An Act for continuing Broad Street in Charles Town to Ashley River and for appointing and Empowering Commrs to Execute the same and to receive Voluntary Contributions for that purpose.

An Act for putting in force in this Province part of an Act of the Parliament of England made in the fifth and sixth years of the Reign of King Edward

Edward the sixth against buying and selling of Offices. and also part of an Act of Parliament of Great Britain made in the second year of the Reign of our most Gracious Sovereign Lord King George the Second Intitled An Act for the more Effectual preventing and further punishment of Forgery Perjury and Subornation of Perjury and to make it Felony to Steal Bonds Notes or other Securitys for payment of Money and also part of another Act of Parliament of Great Britain made in the seventh year of the Reign of his said present Majesty Intituled an Act for the more effectual preventing the Forging the Acceptance of Bills of Exchange or the Numbers or principal Sums of Accountable Receipts for Notes Bills or other Securitys for payment of money or delivery of Goods, and for the more effectual putting in Executing the said several Acts in this Province.

An Act for Establishing a Road from the Head of the Path that Leads from Dorchester to Capt Lyands Cow pen to the Township of Orangeburgh.

An Act for Building a Bridge over Ashepoo River

An Act for Raising the Sum of Four thousand One hundred and eight pounds sixteen shillings and sixpence Current Money of the Province of South Carolina for

for defraying the Charges of the Government for one year Commencing the 25th day of March 1736 and ending the 25th day of March 1737. and for applying the Sum of One thousand pounds now in the hands of the Publick Treasurer that being the Surplus of the County Tax raised in the General Tax for the Year 1735

An Act to Enable the Commissioners herein named to Stamp and Sign certain Orders to the Amount of Forty five thousand and ten pounds Current Money of this Province for the putting this Province in a posture of Defence the better to Enable them to Support and Defend the Colony of Georgia against any Attacks from his Majty Enemies and for the Speedy finishing the Curtain Line before Charles Town.

An Act for making and keeping in Repair the Road which leads from Westos Savanna to the Plantation of Capt Peter Taylor in St Pauls Parish commonly called War Hall, and for continuing the said Road to the most convenient Road leading to Pon Pon River.

An Act to Impower the Commissioners of the High Roads for the Parish of St John in Berkley County and the several Parishes of St Thomas and St Dennis to Rebuild and keep in repair a Bridge commonly called Rogers Bridge on the Eastern Branch of Coopers River

running

running between the said Parish of St John and the said Parishes of St Thomas and St Dennis and for altering the Bounds of the said Parishes of St Thomas & St Dennis.

An Additional Act to an Act Intituled an Act for the Keeping and Maintaining a Watch and good Orders in Charles Town.

An Act for the better Regulating the Court of Common Pleas to be holden on every second Tuesday in May, August and November yearly and every year being the Ancient times heretofore Appointed for holding the said Court.

To all which I have no Objection in point of Law.

I am

My Lords

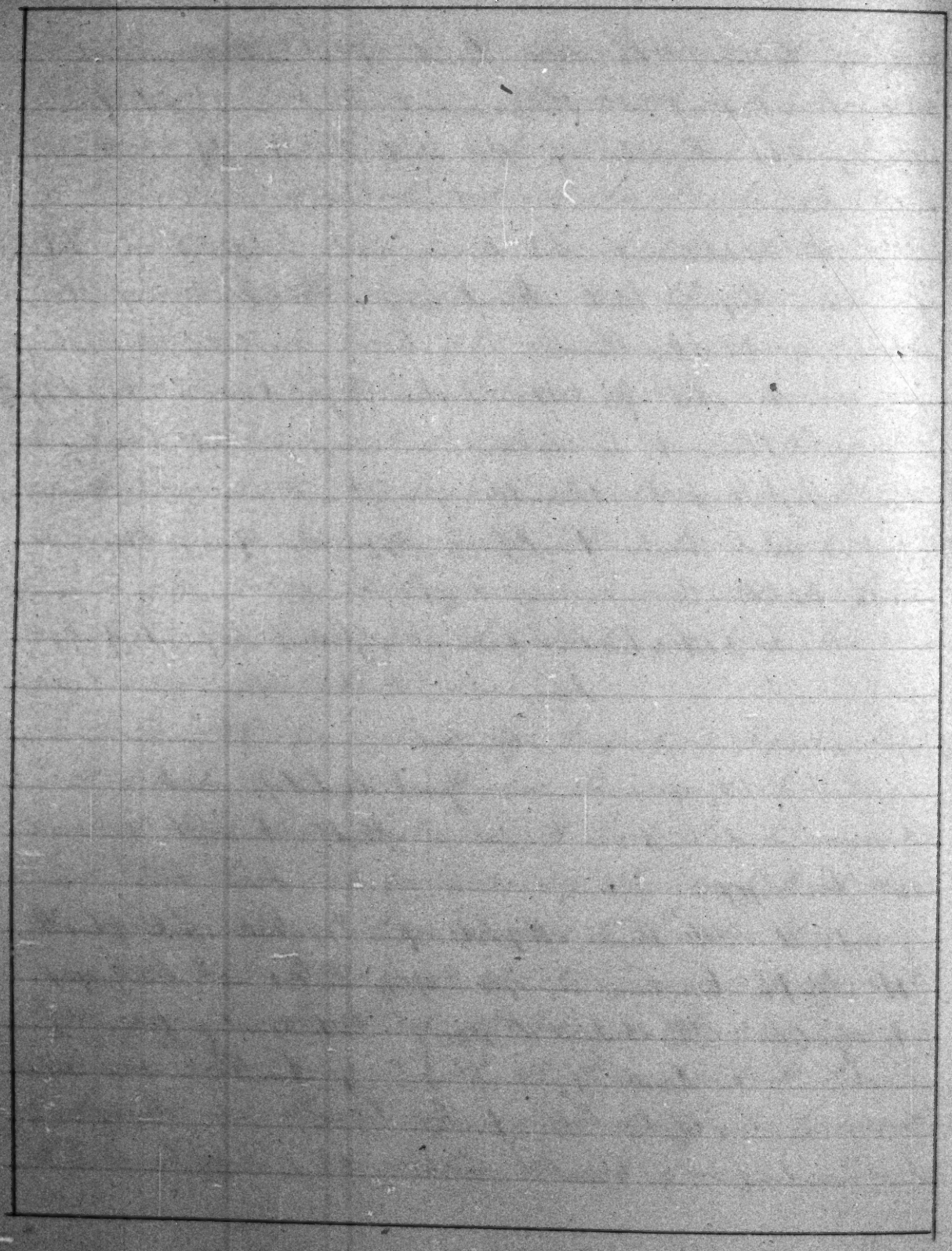
Your Lordships most

Obed[t] Servant

Jran Jane

20[th] Dec[r] 1727

[Endorsed. Mr Jane's Report upon Sixteen Acts passd at South Carolina in 1706 & 1704/5 Dated 20[th] Dec[r] 1727 (No Objection) Recd Jan[y] 11[th] 1704/5 Read — — } Entd in y[e] Primer } March 20[th] 1706



B. P. R. O South Carolina B T Vol 16 H 69

(22nd May 1740)

To the Right Honble The Lords Commissioners For Trade and Plantations

My Lords

In Obedience to your Lordships Commands signified to me by Mr Hill I have considered the Eighteen following Acts passed at South Carolina in 1739 Entituled.

An Act for easing the Tax of the Current Year to the Inhabitants of this Province by appropriating certain surplus Monies in Aid of the same.

An Act for encouraging the Manufacture of Silk in this Province under the Direction of Mr John Lewis Poyas for seven years.

An Act for Licencing Hawkers Pedlars and Petty Chapmen and to prevent their trading with Indented Servants Overseers Negroes and other Slaves.

An Act for Appointing an Agent to Sollicit the Affairs of this Province in Great Britain.

An Act for making and keeping in repair the Road which leads from the head of West Savanna Road on the East side of Pon Pon River to Musgroves Ferry and from thence to Pachers Ferry Road in St Pauls Parish

Parish and to appoint Commrs for the same.

An Act for vesting the Ferry over South Edisto River known by the name of Parkers Ferry in Jane Parker Widow and her Assigns for the Term of Seven Years.

An Act for establishing a Ferry at a Point on the Main Land belonging to Mr Hugh Bryan over against Cochrans Point on Port Royal Island and for vesting the same in the said Hugh Bryan and his Heirs for the Term of seven years.

An Act further to impower the Commrs for regulating Pilots for the Port & Harbour of Charles Town.

An Act for appointing Commrs to lay out a Road or Causeway over Linches Island Situate in Santee River and for establishing the Ferrys therein mentioned.

An Act for Settling a Fair & Markette in Radna in the Parish of St Helena in Granville County

An Act for making a new List of the Names of Persons fit to serve as Jurors to be Drawn by Ballot in this Province.

An Act for the immediate building up a Curtain Line before Charles Town Bay and filing in the Front Lots on Ashley River and from White Point to Vanderhoots Creek.

An

An Act to prevent Frauds and Deceits in selling Rice, Pitch, Tar Rosin Turpentine Beef, Pork, Shingles and Fire Wood.

An Act for raising the Sum of £3317: 5: 7 Current Money of the Province of South Carolina and for applying the Sum of 19139: 7: 8 being certain Surplusses now in the hands of the Publick Treasurer of this Province for defraying the Charges of the Government for one year commencing the 25th of March 1737 and ending 25th March 1738

An Act for the better Securing the sum of £ 27170 s. 1 d. 5½ due to the Publick from the Estate of Alexander Parris Esqr. deceas'd late Publick Treasurer and Receiver of this Province

An Act for easing the Port Charges to Coasting Vessels entering into and clearing out from Port to Port within this Province. And to prevent any impotent lame or infirm Person or Persons being imported brought to or Landed in any part within this Province who shall be likely to become burthensome or be a Charge to the Parish.

An Act for clearing and opening the several Creeks, Cut-offs or Water Passages therein mentioned and for regulating the Boats and Peltyaugers going through the same

An Act for Clearing cleansing and making Navigable Black River and for keeping the same Open and

and Navigable from the Narrows Inclusive to the Western Boundary of Williamsburgh Township

Which relate entirely to the business of the Province, and I have no Objection to them in point of Law. I am

My Lords

your Lordships most

Obed.t Servant

Fran: Jane

22.d May 1740

[Endorsed Mr Jane's Report on 18 Acts pass'd at South Carolina in 1739 Dated y.e 22.d May 1740

(No Objection) Rec.d May 24.th 1740 } Ent'd in } March 28.th 1745

Read —— } y.e Primer }

B. P. R. O. South Carolina B T Vol 14 H 70

(15th January 1742/3)

To the Right Honble The Lords Commissioners For Trade and Plantations.

My Lords

In Obedience to your Lordships Commands signified to me by Mr Hill I have considered the Twenty two following Acts passed at South Carolina in 1738, 1739, 1740 & 1741 Entituled

An Act to prevent Frauds and Decepts in Selling Rice. Pitch. Tar. Rosin Turpentine Beef Pork. Shingles and Firewood.

An Act for the immediate Building up a Curtain Line before Charles Town Bay & Piling in the Front Lots on Ashley River and from white point to Vanderhoots Creek.

An Act for the better preventing the spreading of the Infection of the Small Pox in Charles Town.

An Act for the further Security and better Defence of this Province.

An Additional And Explanatory Act to an Act for the better regulating of the Militia of this Province.

An Act for preserving peace and for continuing

a

a good Correspondence with the Indians who are in Freindship with the Government of South Carolina and for Regulating the Trade with the said Indians.

An Additional and Explanatory Act to An Act for the Entry of Vessels.

An Act to restrain and prevent the Purchasing of Lands from Indians.

An Act for Establishing a Ferry over the River Savanna near the Pallachuchellas on the Land of Genl James Oglethorpe his Heirs and Assigns for ye Space of fourteen Years

An Act for the better Strengthening of this Province by Granting to His Majesty certain Taxes and Impositions on the Purchases of Negroes imported and for appropriating the same to the Uses therein mencond And for Granting to his Majy a Duty and Imposicon on Liquors and other Goods and Merchandizes for the use of the Publick of this Province.

An Act for making more usefull Fort Johnson. Fort Frederick and the several Sorts outs that now are or shall hereafter be kept or established near any of the Inlets in this Province.

An Act for the better Establishing and Regulating of Patrols.

An

An Act to encourage the better Settling and improvement of Beaufort Town on Port Royal Island in Granville County.

An Act to enable the Publick Treaŕer of this Province to issue the Sum of £1500 Currency out of any Funds now lying in the hands of ye said Treaŕer in lieu of a Loan of £200 Sterling wch certain Commrs are enabled to borrow by virtue of an Act lately passed for defraying the Expence of certain Succours and Forces to assist Genl Oglethorpe in an Expedition against his Majestys Enemys at Augustine &c and also to enable certain Commrs therein named to stamp and Sign a further Sum in Orders to the Amount of £1150 Current Money for Supplying the Addl Expences of the said Expedition and which by the said Act are not provided for.

An Act to Appoint Persons to serve in Jurys Pursuant to ye Directions of An Act of ye General Assembly passed 20th Augst 1731 Entituled an Act confirming and Establishing the Antient and Approv'd Method of drawing Jurys by Ballot in this Province and for the better Administration of Justice in Criminal Causes and for appointing of Special Courts for the Tryal of Causes of Transient persons declaring the

Power

Power of yᵉ Provost Marshall for allowing the Proof of Deeds beyond the Seas as Evidence, And for repealing the Several Acts therein mentioned and Appointing a Sermon to be Preached on the first day of every Court of General Sessions in yᵉ Peace &ᶜ

An Act for Granting to His Majᵗʸ the Sum of £ 44932. 17. 6½ for defraying the Charges of the Government for one Year from 25ᵗʰ March 1740 to 25ᵗʰ March 1741.

An Act for vesting the Ferry over Ashly River in Elizabeth Bellenger Widow her Executors Admʳˢ and Assigns for a Term therein mentioned.

An Act to enable certain Commissʳˢ therein named to borrow and take upon Loan a Sum not exceeding £ 2000 Sterling and to enable certain other Commʳˢ therein named to Stamp and Sign certain Orders to the Amount of £ 25000 Current Money of this Province for defraying the Expence of certain Succours & Forces to Assist Genˡ Oglethorpe in an Expedition at Augustine and other places in Florida And for preventing of Muting and Desertion.

An Act to Appoint Commʳˢ to lay out a Road from the Corner of Captain Thomas Johnsons Plantation fence Northwestward to Steads Creek And from thence Westward so as may best Suit the Lands lying on Edisto River And to Impower the said Commʳˢ to Continue the

said

said Road to the Line of Orangeburgh Township or to lay out any By Road or Roads into the said Road.

An Act for the further Security of his Majestys Province of South Carolina by encouraging Protestants to become Settlers therein.

An Additional and Explanatory Act to An Act Entituled an Act to Impower the several Commrs of the High Roads private Paths Bridges Creeks Causeys and Cleansing of Water passages in this Province to alter and lay out the same for the more direct and better Convenience of the Inhabitants.

An Act Concerning Masters and Apprentices.

To all which I have no Objection in Point of Law.

I am

My Lords

Your Lordships most

Obedient Servant

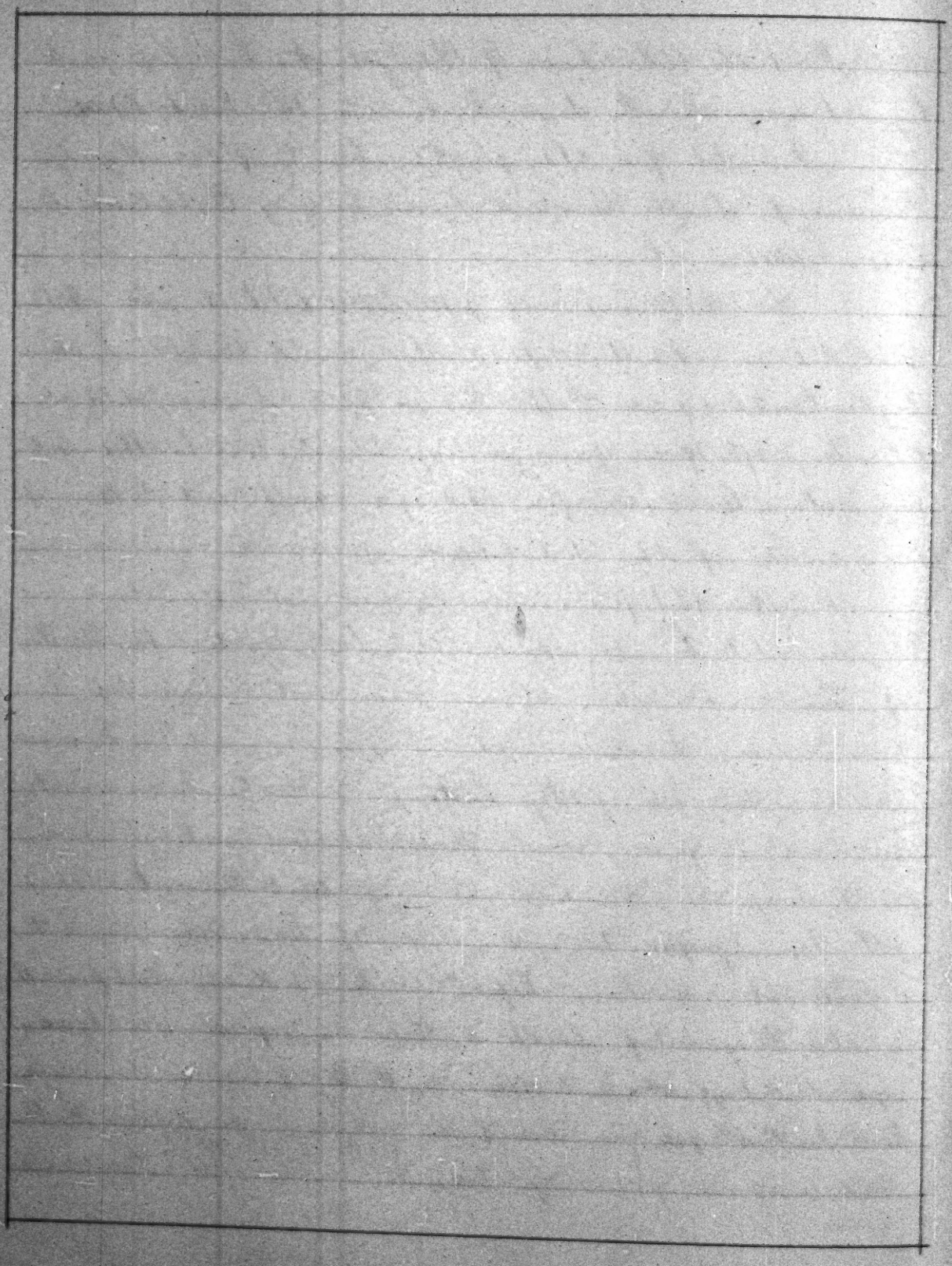
Fran: Fane

15th January 1741

[Endorsed Mr Fanes Report on two & twenty Acts passed in the Province of South Carolina in 1737. 1738. 1739. 1740 & 1741 Dated ye 15th Janry 1741/2 (No Objection)

Recd Janry 16th 1741/2 } Enterd in } March 25th 1746

Read — } ye Primer }



B P R O. South Carolina B T Vol 11 H 71.

(11th Febuary 1724)

To the Right Honble The Lords
Commissioners for Trade & Plantations

My Lords

In Obedience to Your Lordships Commands Signified to me by Mr Hill I have considered the Ten following Acts passed at South Carolina in 1724 Entituled

An Act for raising and granting to His Majesty the Sum of £35,953. 3. 2½ and for applying the sum of £892. 13. 8½ (being the Surplus of several sums) now lying in the Hands of the Treasurer &c

An Act to encourage and induce handicraft Tradesmen and others to settle in Towns and Villages upon the Passes over Rivers and other places in this Province.

An Act for settling a Ferry on Santee River in the way leading from Charles Town to Williamsburgh and for vesting the said Ferry in Joseph Murray his Exors Admrs & Assigns for the Term of Seven Years and to enable the Commrs of the Publick Road near the said Ferry to lay out make and keep in repair a road on each side of the said River leading towards the said Ferry. And for declaring the road leading from Wadboo Bridge to Palmer's Ferry to be a private Road And for

for continuing the roads in the Parish of St. John in Berkley County to the places therein mentioned.

An Act for raising a publick Store of Gunpowder for the Defence of this Province of South Carolina.

An Act for rendering and making the Office of a Constable more easy and less expensive to the persons appointed.

An Act for building a Bridge over Combee River.

An Additional Act to an Act intitled An Act for the better regulating Taverns & Punch houses.

An Act to revive and continue the several Acts therein mentioned and to oblige the Commander of the Watch in Charles Town to do equal duty and for settling their Salaries.

An Act to enable George Pawley, Daniel Laroche & Wm. Whiteside Esqrs. Commrs. appointed for Building a Church & Parsonage House in George Town to carry on & Compleat the same and for repealing part of an Act Intitled An Act to repeal an Act for Appointing a Chappel at Eschaw in the Parish of St. James Santee in Craven County and for erecting two other Chappels in the same Parish and to provide that the Rector for the time being of the said Parish do Preach and perform Divine Service in the English Tongue.

An

An Act for the immediate relief of the Colony of Georgia and for the Defence of this Province.

And have <u>no objection</u> to them as they seem intended for the well ordering and governing the said Province

I am

My Lords

Your Lordships most

Obedt Servant

Fran: Fane

16th Febry 1743

[Endorsed Mr Fane's Report upon Ten Acts passed in the Province of South Carolina in 1704/2 Dated 16th Febr 1743/4

(No objection) Recd Febry 16th 1743/4 } Entered in } March 25th 1744

Read —— } Fr Primer }

B. P. R O. South Carolina B T Vol 14 H 72

(19th October 1744)

To the Right Honble The Lords
Commissioners for Trade & Plantations

My Lords

In Obedience to your Lordships Commands signified to me by Mr Hill I have considered the Nine following Acts passed at South Carolina in 1743 Entituled.

An Act for raising and granting to his Majesty the Sum of £1195. 11. 4 and for Applying the Sum of 1478. 8. 5. 0¾ for defraying the Charges of the Government for one Year ending the 26th March 1743

An Act for making satisfactions to Proprietors whose Lands are in anywise damnified by the works lately erected and now erecting and carrying on, or which may be thought necessary to be erected and provided for by the General Assembly for the defence of Charles Town, and for vesting the Lands on which the said Works stand or may stand on the publick for ever

An Act to Ascertain and Regulate publick Officers Fees, and to Repeal An Act of the General Assembly of this Province Entituled An Act for Ascertaining publick Officers Fees.

An

An Act for the better Security of this Province against the Insurrections and other wicked Attempts of Negroes and other Slaves and for reviving and continuing An Act of the General Assembly of this Province, Entituled An Act for the better ordering and governing Negroes and other Slaves in this Province

An Additional and Explanatory Act to an Act Entituled An Act to prevent Mariners and Seamen running into Debt, and prevent the Desertion of Seamen

An Act to prevent Stealing of Horses and Neat Cattle and for the more effectual discovery & punishment of such persons as shall unlawfully brand mark or kill the same

An Act for the Encouragement of Mr George Timmons in his projection of a New Instrument for cleaning of Rice.

An Ordinance for appointing Jacob Motte Esqr Treasurer

An Ordinance for appointing Receivers Comptrollers and Waiters of the County duties at the Ports of Beaufort Port Royal and George Town Winyaw.

To all which I have no objection in point of Law I am

My Lords Your Lordships most Obedt Servant

19th Octr 1745 Jran Fane

[Endorsed Mr Fane's Report upon nine Acts passed in ye Province of South Carolina in May 1745 Dated ye 19th Octr 1745 (No Objection) Recd Octo 23d 1745 Entered in ye Primer March 25th 1746]

Vol 22

1733

410

B.P.R.O. A & W.I. Vol. 19 f. 203

(12th July 1733)

To His Grace the Right Honble Holles Duke of Newcastle One of His Majesty's Principal Secretary's of State

May it Please your Grace

The annexed Representation contains an account of the proceedings of the Governour, Council and Assembly of So Carolina with respect to the disposition of the Kings Lands, the Management of the Revenue of the Crown, and the Execution of His Majesty's Instructions, during the Administration of Robert Johnson Esqr the present Governour of the said Provinc.

This Representation will exhibit to your Grace in a faithfull light, principally, the actions of a Governor who has given up the Prerogative of the Crown, has diminished the King's Revenue, and has diverted and misapplyed the Public money in expres contradiction to his Majesty's Royal Instructions.

It will further discover to your Grace the Proceedings of the Council and Assembly of South Carolina under the Influence and direction of the Governour, against all such persons as have opposed their Measures, or have humbly represented their Conduct to His Majesty's proper Officers, and Ministers in Great

Great Britain.

As these things are of a very Public concern, 'tis humbly hoped they will be thought worthy your Graces Consideration from whatever hand they come.

Amongst other Acts of violence and Oppression your Grace will perceive an Officer of the Crown under the severest Persecutions, for barely representing to the proper Boards in Great Britain, such things as he apprehended were injurious to the King's Interests although such Representations were made in obed-ience to Instructions he had received from the Persons authorized under his Majesty in this Kingdom.

It would be too presumptious to detain your Grace with Observations on the numerous Ill conse-quences, that must necessarily flow from these proceedings but it is too evident that if it shall become penal and dangerous, for persons who live in America whether in Public or private Stations, to represent to his Majesty or his Ministers the Neglect, Disobedience or Contradiction of the Royal Instructions or any other Mismanagement of the Persons in Power, it will soon weaken that Dependance which all the Plantations ought to have on this Kingdom.

Whilst the Governours of the Plantations un-justifiable

justifiable concessions, in favour of the People, but to the Prejudice of the Kings Prerogative and the Interests of Great Britain, Your Grace will not be troubled with Representations of this sort, from the Assembly's or any other Public Bodys of Men in the Colony's. But as it is conceived, that it will contribute to the General Happiness and Welfare of all his Majesty's Subjects however dispersed in the several parts of his Dominions, that the Colonys should for ever remain Dependant upon their Mother Country, by which they have been nourish'd protected and defended and as His Majesty's Instructions are most wisely and graciously calculated to secure that Happiness and to preserve that Dependance for the benefit of all. It is humbly hoped that this attempt will not prove disagreeable or offensive to your Grace, as it is undertaken with no other view, than to shew how His Majesty's Instructions have been violated, and disobeyed and that the affairs of South Carolina, by Your Graces favour and Goodness, may come under His Majesty's Royal Consideration. to the End, that due Obedience to His Majesty's Instructions may be inforced, and that the wise and just Ends, for which they were

designed

designed may be fully and effectually answered and that His Majesty's Officers may be protected in the faithful discharge of their Duty and that his Loyal and dutiful Subjects may be free'd from Injury and Oppression.

I am with the greatest Attention and most profound Respect

May it please Your Grace
Your Graces most Obedient
most humble
and
most devoted Servant
Benja Whitaker.

London
12th July 1733.

(Enclosure)

(Enclosure.)

A General Representation of the Proceed-
-ings of the Governor Council and Assembly
of South Carolina with respect to ye Dispo
-sition of the Kings Lands, the Management of
the Revenue of the Crown, and the Execution
of His Majesties Instructions, during the Ad-
-ministration of Robert Johnson Esqr the
present Governor of the said Province.

His late Majesty King Charles the second by
his Royal Charter bearing date 13th June in the
17th year of his Reign, granted to the late Lords
Proprietors of the Province of Carolina, the said
Province with all the Royalties, Proprieties and
Jurisdictions of a County Palatine, and by the
same Charter, gave to the said Lords Proprietors
and their Heirs full Power and Authority to give
and confer unto such of the Inhabitants of the
said Province as they should think did or should
merit the same such Marks of Favour and Titles
of Honour, as they should think fit, so as their Titles
or Honours should not be the same, as were enjoyed
by or conferred upon any of the Subjects of the
Kingdom of England.

The

The late Lords Proprietors by certain fundamentl Constitutions under their hands and Seals bearing date the first day of March did establish and provide as follows. viz.t

Const. 9. "There shall be just as many Landgraves as there "are Counatys, and twice as many Cassiques, And no "more: These shall be the Hereditary Nobility of the "Province, and by Right of their Dignity be Members "of Parliament, each Landgrave shall have four "Baronys Hereditarily & unalterably annexed and "Setled upon the said Dignity".

Const. 11.t Any Landgrave or Cassique before the year 1701 shall have power to alienate sell or make over to any person his Dignity, with the Baronys thereunto belonging All intirely together, but after the year 1700, no Landgrave or Cassique shall have power to alienate, sell, or make over or let the Hereditary Baronys of his Dignity, or any part thereof, otherwise than as in §§:18, but they shall intirely with the Dignity thereunto belonging descend unto the Heirs Male and for want of Heirs male all intirely and undivided unto the next Heirs General and for want of such Heirs, shall devolve into the hands of the Lords Proprietors.

Const.

Const. 18 "The Lords of Seigniorys and Baronys who shall "have power only of granting Estates not exceeding "three Lives or thirty one years in two thirds of the "said Seigniorys or Baronys, and the remaining third "shall be always Demesne."

The Lords Proprietors in pursuance of the Powers granted them by their Charter, but without any regard had to the Number limited by the above Constitutions, for a consideration paid in Money, and very often endorsed on the back of the Letters Patent, by their Letters Patent created a considerable Number of Landgraves and Cassiques and by the same Letters Patent granted to each Landgrave 48000, and to each Cassique 24000 Acres of Land.

The Form of the Letters Patent granted to the Landgraves and Cassiques are the same (mutatis mutandis) and run as follows viz:

A. B. Landgravam tenore Presentium erigimus et cum quadraginta octo mille jugeris terre aliisqs Privilegijs eidem Dignitati pertinentibus Habendum et Tenendum Statum Gradum et Landgravi, una cum predictis terris prefato A. B. et Heredibus suis, Secundum Tenorem fundamentalium nostrarum Constitutionum

Constitutionum in perpetuum.

The Lords Proprietors at the time of Granting the above Letters Patent had fixed and established certain Rules for the laying out ascertaining and granting Lands to the Landgraves and Cassiques in pursuance of such Letters Patent, which Rules were contained in their Instructions given to their Governors, Secretarys and Surveyors General.

The Rules given in Charge to the Governors are as follows.

"Any Landgrave or Cassique making it appear "to you that he is so, either by producing his Patent, or "being to you by us that we have so created him, and "having subscribed the Book for that purpose provided "to bear Faith and true Allegiance to our Sovereign "Lord the King, and to be true and faithful to the "Lords Proprietors. You are then to issue out your Orders "to the Surveyor General, to admeasure out unto him "as many of the Squares for Baronys in the County as "of Right belong to him and he is willing to take pro- "vided that each Barony be in one intire Piece, and "that in no one County there be above four Baronys "set out to the Landgraves."

Instructions to their Secretarys

"You

"You are in a Book for that use provided, exactly
"to register all Warrants issued out to the Surveyor
"General for the admeasuring out of Land to any Per-
"son, and the Surveyor General's Return you are to
"enter against the said Warrant, and in the Warrant
"to the Surveyor General, you are to insert the
"names of such Persons to whom the said Land is
"granted, Copys of which you are to send us daily
"That we may see how our said Land is disposed
"of When any Patents under our hands and the
"great seal of our Province, are produced to you,
"You are to prepare Conveyances for the Lands therein
"mentioned pursuant to the Tenor of our said Orig-
"inal Patents for the same."

From what is above set forth it appears that from the first Settlement of the Province of South Carolina, all Lands held or claimed under Patents granted to Landgraves or Cassiques, by the Rules and Constitutions, laid down by the late Lords Proprietors were to be held altogether in one County Intire and Undivided; That the quantity of Land granted by the Original Patent was to be laid out by Virtue of a Warrant from the Gov-
-ernor, directed to the Surveyor General, and that

the

the Land run out in pursuance of such Warrant was to be ascertained to the Patentee by a future Grant or Conveyance, That the Lords Proprietors might see how their Lands were disposed of.

The Patents that have been mentioned are most of them of an ancient Date and very few of the first or Original Patentees are now alive, and very little or any of the Land intended to be granted by such Patents was taken up in the Life of the Patentees, but the Heirs or Descendants of those to whom they were granted, kept them dormant till about the year 1720. for a Reason very obvious viz: If the Lands intended to be granted by these Patents had been taken up at the time of granting them, or within any short time after, and had been ascertained by Particular Grants and registered in the manner directed by the Rules and Instructions of the Proprietors, the Patentees and their Heirs and Assigns wod have been chargeable for the Quit rents of many hundred thousand acres of Land and the Rents and Revenues of the Proprietors would have been considerably increased and augmented for this Reason therefore 'tis presumed they were kept dormant.

In

In the year 1720 when His Majesty was graciously pleased to take the Government of South Carolina provisionally into his hands and when the exercise of the Government of the Proprietors was wholly suspended, and when the Proprietors had ordered that no more Lands should be granted, these old Patents began to rear up their Heads and were fraudulently made use of by those who had them in possession to the Prejudice of the then Lords Proprietors and to the much greater Prejudice of his Majesty since his purchase of that Province.

From the year 1720 to the 5th October 1731, 80000 Acres of land were run out under a colour of these Patents, by the Connivance of Mr Francis Yonge and Col. Wm Bull, the first Surveyor General to the Lords Proprietors and the latter Deputy Surveyor General under Mr Yonge.

Tis said that Quantity of Land was taken up by the Connivance of those Persons, because tis conceived that they neither had, or could have any lawful Authority to survey such Lands for according to the Constant Usage of the Province as is before shewn, no Lands could be regularly or legally surveyed without the Governors Warrant, issued out of the

the Secretarys Office for that purpose, and directed to the Surveyor General; from the year 1720 till the time of his Maties Purchase, the Government of South Carolina was provisionally under his Majesties Government, and the exercise of the Government by the Proprietors was wholly suspended, and therefore during all that time, no such Warrant did or could issue, and from the time of his Majesties Purchase, till the arrival of Mr St John, the present Surveyor General no Warrants for that purpose did or could issue to the Lords Proprietors late Surveyor General, his Authority being determined by the Proprietors Surrender and therefore 'tis humbly conceived, that all Surveys made during that time are to be deemed fraudulent and void, as well against his Majesty, as the late Lords Proprietors, allowing the Patents the utmost force and validity.

In the year 1729 an Act of Parliament passed in Great Britain for the surrender of Seven Eighth parts of the Province of Carolina to his Majesty, by virtue of which Act all the Right and Title of Seven of the late Lords Proprietors to seven eighth parts of Carolina became vested in his Majesty.

After the passing the aforesaid Act of Parliament, his

his Majesty having been pleased to refer the Method of setling and cultivating the Province of Carolina to the Consideration of the Right Honble the Lords Commissioners for Trade and Plantations, their Lordships thought fit to cause one of the before mentioned Patents granted to Sr Nathaniel Johnson Knight Father of Robert Johnson Esqr the present Governor of South Carolina being of the like Tenor & Effect with the rest of the Landgraves and Cassiques Patents) to be laid before his majesties Attorney and Sollr General, desiring them to report their Opinion in Point of Law, whether such Grants were legal or of Force and his Majesties attorney and Sollicitor General upon Consideration of the Grant to the aforesaid Sr Nathaniel Johnson did report their Opinion.—"That in regard the Place "where the said Lands did lye, was not described "nor any method provided by which the same "might be ascertained, such Grant by reason of the "uncertainty thereof, was absolutely void in Law" which Opinion and Report together with the last abovementioned Grant or Patent of his Father was delivered to Governor Johnson by the Lords of Trade for his better Guidance and Direction.

Soon

soon after Governor Johnson went to South Carolina with several powers and Instructions from his Majesty to Grant lands to the Inhabitants of that Province, upon such conditions, for setling and Cultivating the same, as his Majesty by his said Instructions was pleased particularly to direct. All which Instructions were most graciously calculated and designed for the setling strengthning and improving the said Province, and the said Governor took upon himself the Exercise and Administration of the said Government, in pursuance of the Powers and Authorities to him granted.

At the first meeting of the Assembly after the Governor's Arrival a Bill was brought into the Assembly (which was commonly called the Quit Rent Bill) whereby it was proposed (among other things) to establish all sorts of defective Titles, derived from or claimed under the Proprietors against the Crown and particularly all sorts of Estates either derived or pretended to be derived, under those Patents which had been reported to be absolutely void in Law by his Majesty's Attorney and Solliciter General. Which Bill being sent to His Majesty's Council his Excellency the Governor was pleased to refer it to the consideration

of

of Mr Whitaker, then Attorney General of South Carolina and commanded him, to report his Opinion at a very short day then to come. Mr Whitaker (amongst many other Objections, which he made against the said Bill) by a Report in writing under his hand, acquainted the Governor, that the Landgraves and Cassiques Patents and the Titles derived under them (in his Opinion) ought not to be confirmed or any countenance given to them; for that the Persons claiming under such Patents had no Right either in Law or Equity, for that the Facts (as then stated and alledged in the Bill) on which the Reasons given for confirming such defective Titles were founded, were some of them absolutely false and others grossly misrepresented; That the said Patents were not only void for uncertainty, as had been reported by his Majesties Attorney and Solliciter General in England but that if the said Patents had contained in themselves a greater certainty, or if the quantity of Land intended to be granted by the said Patents, had be rendered certain by the Election of the Patentee according to the Rules prescribed by the Lords Proprietors for making such Election, and admeasuring the Lands and fixing them by particular Grants. Yet no such Election had been

been in the life time of the Persons to whom such Patents were granted, and as the Election had not been made in the Life time of the immediate Patentee, or the said Patentee ever actually seized of any Land by virtue of such Patents, such Right of Election could not descend to his Heirs, and that consequently the Heirs of such Patentee could not transfer assign or alien such Right of Election to any other Person whatsoever And Mr. Whitaker farther represented to the Governor that the Patentees had no Equity to be supported in their unjust claims, for that they had made use of the said Patents, as a Device to defraud the late Lords Proprietors, and to get possession of their Lands without complying with the Rules laid down for taking up such Lands, whereby the true Quantities might be known and the Quit Rents secured; and that as this Fraud had been contrived & carryed on whilst the Late Lords Proprietors were Owners of the soil, so it was continued in a Degree equal, if not much more injurious to his Majesty.

What Regard the Governor had to these Opinions and Representations is unknown, but 'tis apprehended that At that time, he believed them to

be

be just, for on the 4th March 1730, whilst the above mentioned Bill was depending, he sent a Message to the Assembly in the following words Viz.

Mr. Speaker and Gentlemen

"I herewith send you the Law for vesting the late Lords Proprietors Charter in the Crown, being sent to the Province for your use, together with the Opinion of the Attorney and Solicitor General in Relation to the Patents for Lands granted by the Lords Proprietors, by which you will find these Patents are adjudged by them void by Law And there I cannot take upon me to confirm any such Patents without his Majesties Instructions so to do, but I am on the contrary directed to recommend to the General Assembly to pass a Law for obliging all Persons possessed of large Tracts of Land to settle and cultivate the same, and to fix a time for so doing and on failure that they revert to the Crown which accordingly I recommend to you."

Robt Johnson.

The Quit Rent Bill by which these defective Titles were to be established, was from February till the latter end of August, depending in ye Assembly and various Alterations were from time to

Note this very Opinion was the Opinion upon wch his Leaders Patent.

This is a tacit confession that the Govr was conscious how great an Objection the confirmation of the Patents was to the Cultivation of the Province.

to time made, most of them exceedingly prejudicial to the Rights and Revenue of the Crown; and the most extensive and comprehensive Clauses were introduced to give, and unrestrained Licence to take up Lands under the old Patents. The Assembly seemed contented, that all Estates derived, or pretended to be derived, under the Proprietors before the Kings Purchase of the Province should be made valid; but the Governor and Council (tho' more particularly intrusted with the preservation of the Rights of the Crown) on the 27 May 1731 beyond the desire of the Assembly. Of their own Accord, were pleased to add to the Bill a Clause for allowing two years to Patentees to run out and ascertain Lands after the Arrival of a Surveyor General, they had before provided, that it should be sufficient if the Lands were run out by a Surveyor, who had once been sworn under any Authority derived from the Proprietors, altho' the Authority by which he was appointed was actually revoked, suspended or determined; and this Surveyor was under no sort of Obligation to certify or return his Survey into any publick Office whatsoever; and the Kings Surveyor General according to the Scheme of this Bill, for two years after his arrival, might stand by and see the

Kings

Kings Lands taken up and all sorts of Frauds and Intrusions committed, without being able to take any Account what was done. And accordingly even during the long Dependance of this very Extraordinary Bill, and before it passed into a Law, the most extensive use was made of what was to be Enacted & confirmed.

His Excellency the Governor, under colour of his Fathers Patent, although reported to be void in Law, procured 12000 Acres, near Port Royal, to be privately Surveyed by Coll: Wm Bull, who had been once Deputy Surveyor General under the Proprietors, and whose Authority was then determined. And His Excellency took care to have this Survey made before the Land Office was open, or any of His Majestys Subjects could possibly obtain Warrants to take up Lands under His Majesty, on the Terms and conditions, his Majesty had been graciously pleased to appoint.

Part of the Lands which had been thus Surveyed for his Excellency were formerly Lands assigned, by virtue of His Excellency's own Warrant when Governor under the late Lords Proprietors, to certain poor Persons invited from the Kingdom of Ireland to

to settle and defend the Frontiers near Port Royal, by a Publick Manifesto published in that Kingdom, under His Excellency's own hand, when Governor in the year 1718, from which Lands the said Poor Persons had been since that time drove by the Indians. And in pursuance of His Excellency's Example vast quantitys of Lands have been taken up by other persons under Patents of the like sort, in the like private and clandestine way, and numbers of poor Persons, who have for many years remained upon and bravely defended the Frontiers, have been in the like manner injured.

This being a true state of the case of the Patents granted to Landgraves and Cassiques in South Carolina, and a faithful Narrative of the Proceedings that have been had in that Province with respect to these Patents. It will be necessary to add some remarks to shew, in what manner these Patents, and the use that has been made of them, will affect the Interest of the Crown, or the People or the affairs of that Province.

First how they affect the Interest of the Crown

It is to be known that on the Patents granted to Landgraves and Cassiques, there were three several sorts

sorts of Rents reserved viz.t One Penny ℔ Acre on some on others one Shilling ℔ hundred Acres, and others were held at a Pepper corn.

It has been taken notice, that on some of these Patents there is reserved a Rent of one Penny Sterling ℔ Acre, but the Governor, Council & Assembly of Carolina, under Pretence and Colour of an Order of the late Lords Proprietors of the 13th May 1691, for granting to each Landgrave and Cassique One Barony of 12000 Acres at twenty Pounds ℔ Annum which is 3/4d ℔ hundred Acres and by the obscure and ambiguous penning of a Clause, in the Quit Rent Act have artfully reduced all the Patent Lands that were held at a penny ℔ Acre to 3/4d Proclamation ℔ hundred Acres.

As the Lands which have been taken up under Colour of these Patents, have been Surveyed by the Pateatees in a private and clandestine Manner, no Returns made into any publick Office, nor any account of them taken by any Publick Officer, and as the Pateatees have made an unlimited use of their Patents, and have run out more Lands than were ever intended to be conveyed by their Patents, and the proper Officers having been actually Prevented and discouraged from taking an Account and making a Discovery of the Quantities

claimed

claimed by the Patentees, and as all attempts of that Nature have been treated with the Utmost Indignation and Resentment. 'Tis impossible to Sett down here an exact Calculation of the Quantitys of Lands that have been concealed and withheld from the Crown by these Practices; But from the best accounts that can be got, on Inquirys made there cannot be less than 800,000 Acres concealed, and it may with great reason be presumed, that there is much more, since so great a Jealosy has appeared, and so many violent and arbitrary Proceedings have been used against all Persons either Publick or Private who have shewed the least Inclination or have made any step towards a Discovery. Admitting then at the most moderate Computation, that there 800,000 Acres of Land by this means as concealed from the Crown, at the present of 4d Procl. Money reserved on Grants made pursuant to His Majesties Instructions, the Rents payable for that Quantity of Land would amount to £1600 Procl. Money p ann. Again allowing that these Lands were held under the Patentees, and that they would be so just as to discover the quantitys of Land taken up, and the true Rents reserved on each Patent and then computing these Rent at a Medium viz.

that

that one third part are held at 3° 4ᵈ another third at one Shilling and the remaining third at a Pepper corn, the Annual Rents will amount to £600 Proclam. Money ℔ Ann. so that according to this computation upon ballancing the Account the Crown looses £1000 ℔ Ann. Proclamation Money.

It has been before remarked that the Patentees under colour of these Patents have run out Lands in a private and fraudulent Manner. This Remark may very well be justified, because by the Establishment under the Proprietors the Patentees were obliged to produce their Patents, to take out Warrants to Survey and Grants to ascertain the particular Quantitys of Lands taken up, of which an exact Account and Registry was directed to be kept, to the End, that it might be known what quantity of Land was taken up under each Patent, and what Rents were reserved, and that it might appear when the Quantity intended to be conveyed by said Patent was compleated, and that such Quantity was not exceeded. But since his Majesty has been pleased to take the Government of South Carolina provisionally into his Hands, and for some time before, the Patentees have absolved themselves from observing the beforementioned Rules, and have

and have run out the greatest part of the Lands abovementioned, ever since his Majesties purchase and the arrival of Governor Johnson, in South Carolina and these things they have caused to be done, by private Persons, in nowise qualifyed or authorized to Survey Lands, but have only taken upon themselves to Survey these Lands under colour of their having Once been Surveyors under an Authority derived from the late Lords Proprietors. Nor have the Patentees, or any person on their Behalf ever given any Account of what Lands they have run out or returned any Survey made, by virtue of, or under colour of their Patents to any Office or Officer properly Authorized in the Government; and the Governor, Council, and Assembly have not only endeavoured to confirm and establish all these fraudulent, irregular and clandestine Proceedings by the Quit Rent Act but have by the same Act given an unlimited Licence to continue and put in practice the like Frauds for two years, after the arrival of the King's Surveyor General, So that from this extraordinary Latitude, 'tis impossible to foresee how extensive the Prejudice may be to the Crown.

In the second place the Proceedings affect the

the Interest of the Subject and the Publick Welfare of the Province.

His Majesty, by his Royal Instructions to Governor Johnson has been pleased to direct that for the better strengthening the Province no Person shall take up or hold more Land than he has Ability to cultivate, and as the most probable Rule or Measure for the Governors Judgment, his Majesty has been pleased further to direct, that the Governor should not grant more than fifty Acres for every White or Black man Woman or Child of which the Grantees Family should consist at the time the Grant should be made. And that the profitable and unprofitable Land may be equally and proportionably distributed, the Governor is enjoyned by his Majesty to take care that out of all the Lands for the future, where such lands shall be contiguous to Rivers, not above one fourth part of the Land granted should border upon the River. But the Patentees looking upon themselves absolved from the above Rules have selected and engrossed to themselves most of the valuable Lands near Port Royal, contiguous and fronting on Navigable Rivers, in vast Tracts from twelve to 48000 Acres, when at the same time the

said

said Patentees were not by any means able to cultivate such large Quantities of Land but kept them with an Apparent view of selling them and actually have sold some small part of them out at exorbitant Prices by which means the Frontiers of South Carolina (which have been for many years exposed to the Ravages and Incursions of the Indians and other Enemies) continue to lay waste and desolate, and the poor people who have at the apparent hazard of their lives, ever since the Indian War in the year 1715 continued in and defended those parts, are left open to new Dangers. And the Patentees further to distress the like unfortunate Persons, who were drove from their Settlements on the Frontiers in the late War, and at several times since, and who had their Possessions destroyed, their houses burnt, and with them many of the Grants and Title Deeds for their Lands, and who had many of their Friends, Relations, Servants and Slaves cruelly murthered. Yet from these very Persons the said Patentees have under Colour of their pretended Titles taken their Lands and ancient Habitations, and this before any Warrants were permitted to be

issued

issued for taking up Lands under the Crown, whereby these distressed People were prevented from regaining their ancient Right and from becoming Tenants to his Majesty, under the Conditions, and at the Quit Rents prescribed and directed by His Majesties Instructions. Here many melancholy Instances might be given of particular Injuries of this kind, but 'tis not the Design of this Representation or Narrative to raise or affect the Passions, but to relate plain Facts, and shew the consequences that necessarily result from them. However 'tis not improper to observe that when several Persons to the number of sixty and upwards who looked with Compassion on the Poor and distressed Inhabitants of Granville County, living near Port Royal, and being willing at the Expence of their private Fortunes to settle themselves in those Parts according to the true and genuine sense of his Majesties Instructions, and at the same time by their Example, Help and Encouragement, to re-establish the old Settlers in their former Possessions, and when for that end and purpose they had duly obtained lawful Warrants from his Excellency Governor Johnson to run out a sufficient Quantity

of

of Lands for that purpose, and had put the said Warrants in Execution. The Assembly of South Carolina excited and instigated by publick Messages and other Stimulations from the said Governor, in a most Arbitrary and violent Manner, issued Orders not only for committing to Prison the Deputy Surveyors, who executed the said Governors Warrants, but also all Persons who were present, when the said Warrants were executed, pretending that the said Persons had acted contrary to Law in running out Patent Lands, whereas in Truth and Reality the Lands so Run out by virtue of the said Warrants were Lands that had been fraudulently concealed from the Crown by the aforesaid Patentees and as the said Lands had never been duly or legally surveyed under any proper Authority were free to be taken up, and granted to any of His Maties Subjects having Right to take up Lands, by virtue of and under the Qualifications required by His Majesties Instructions. Which Persons were determined by the Governor himself to be properly and legally qualifyed to take up Lands, by his granting to them the aforesaid Warrants for that purpose, But the 1st Governor to obstruct the just, humane, and

and laudable Designs of the said Persons, and to prevent their obtaining his Majesties Grants for the Lands run out by Virtue of the aforesaid Warrants, went so far as in a publick manner to censure, and Stigmatize the aforesaid Undertaking of the Persons aforesaid as a Stock Jobbing affair altho' the Persons concerned were most of them Persons of good Estates, and all of them of fair Reputation, and altho' there was no manner of Foundation in Reason or Truth for such a censure, or even for the Suspicions of the said Governor.

It may seem surprising from the Relation of this Proceeding that Governor Johnson should act in so arbitrary, partial and rigorous a Manner, till the Motives are known, which gave birth to these extraordinary Proceedings.

James St. John Esqr. his Majesties Surveyor General Inspector & Controller of his Majesties Revenues and Deputy Auditor in the Province of South Carolina arrived in the said Province some time in the month of October 1731, and took upon himself the Execution of his several Offices, and being from the Nature and Duty of the said Offices, as well as by his Instructions, bound to represent to the proper

Powers

Powers in Great Britain, all such Frauds, Conceal-
-ments or Diminutions of His Majesties Revenue, or
other Matters whereby the Rights and Interests of the
Crown, might be injured, violated, or impaired, as
should come to his knowledge; The said Mr St John
in pursuance of the Trusts reposed in him, about
the Month of April 1732 transmitted to the Right
Honble the Lords Commissioners of ye Treasury and
to the Right Honble the Lords Comrs for Trade and
Plantations, a Representation containing several
Remarks on an Act passed in South Carolina
commonly called the Quit Rent Act, together with
some Observations on the Proceedings of the Governor
Council & Assembly of South Carolina, with respect
to the Disposition of the Kings Lands, and the man-
-agement of the Royal Revenue, and in particular
the several Frauds that have been herein set forth
and which have been committed under colour of
Landgraves and Cassiques Patents. In these Repres-
-entations out of Tenderness to Governor Johnson's
Personal Character Mr St John forbore to mention
that Governor Johnson had made use of his Father's
Patent which had been reported void in Law by his
Majesties Attorney and Solr General, in the same
manner

manner and with the same circumstances of Fraud as the rest of the Patentees had done of theirs. Mr St. John's Representation contained nothing but Facts, which, as a publick Officer, he could not conceal, without Breach of Trust, He did not consider the Persons who were concerned in those Facts, and therefore made no mention of them.

About the Month of December last, Governor Johnson received from Great Britain Copys of Mr St. John's Representation and Remarks, with Advice from his private Friends, that the Quit Rent Act was dis-approved and consequently all the Frauds which were endeavoured by that Act to be confirmed would be set aside.

The Governor as is hereinbefore set forth, had privately surveyed 12000 Acres of Land near Port Royal, under colour of His Fathers void Patent, and from the Advices he had received from Great Britain, being in Despair of having his Title confirmed by the Quit Rent Act, his Excelleney was pleased to give Orders to one Hugh Bryan a Deputy Surveyor to run out the same Land, by virtue of a Warrant which the Governor had signed and issued to himself for 8000 Acres, and by virtue of another Warrant, granted

to

to Colonel Thomas Broughton Lieut.t Governor and his Brother in Law for 4000 Acres, but the Deputy Surveyor delaying the making of the Survey for some time when he came upon the Land he found that part of it had been surveyed by virtue of other Warrants before he came on the Land, upon which the Deputy Surveyor (without making any actual Survey) platted the whole 12000 Acres of Land from the former Survey made by Colonel Bull for the Governor, and returned two Plats thereof to the Surveyor Generals Office, as surveyed by himself by virtue of the Governor and Colonel Broughtons Warrants, wch Return so fraudulently made by the Deputy the Surveyor General refused to certify, because Plats of the same Lands, had been regularly surveyed for other Persons, and returned into his Office, prior to the Plats of the Governor and Colonel Broughton. The Persons who had surveyed the said Land at the same time, entred Caveats in the Secretarys Office against his Majesties Grant passing to the Governor or Colonel Broughton, for such part of the said 12000 Acres of Land as had been regularly and legally surveyd for the said other Persons.

The Governor finding himself disappointed by

by a prior Survey and Return, and being conscious the Survey pretended to be made by the Deputy he had employed, would be deemed fraudulent, His Excellency lost all manner of Patience and Discretion, and again set up his pretended Title under his Patent, and avowed all the Frauds that had been committed by several publick Messages, and complained of the Discovery and Detection of these Frauds, as an high Injury and Indignity offered him, by several Messages to the Lower House of Assembly, endeavoured to excite them to some very extraordinary Proceedings against Robert Hunter Esquire, their Speaker, for Signing and filing the aforesaid Caveats in the Secretarys Office, tho' done in the Execution of his Duty, as an Attorney at Law, on behalf of his Clyents, thereby endeavouring to intimidate him from the faithful Discharge of his Trust, And the Governor summoned several of the Persons concerned in such Caveats and compelled them in Council to submit to an Examination on Oath. As he looked upon the Representation that had been made to Great Britain to be the chief cause of his disappointment, he determined to pursue Mr St John with the utmost violence and

Resentment

Resentment, and for the more effectual Prosecution of his Design, he immediately sent down to the Assembly, the Copys of the Representations, the Surveyor General had sent to Great Britain, to influence and enrage the Assembly against him, and by repeated Messages and other Publick Acts endeavoured to fix the most invidious Imputations on him, and by private Insinuations, to represent him as an Inspector, and Spy and Enemy to the People of South Carolina.

By this means the Governor so far exasperated the Assembly, that, after they had in vain attempted in a Number of Conferences, Committees and Examinations to fix something Criminal against the Surveyor General in the Execution of his Office, they committed him to Prison for some indiscreet Words pretended to have been spoken in Contempt of the Lower House of Assembly, the proof of which Contempt was drawn by a very partial Inquiry, from suspected Witnesses, after several Persons of Character and Reputation had been examined, who were in Mr. Lt. John's Company, at the same time when the Words were pretended to be spoken and who declared that they could not give Evidence of any such Words as were

supposed

supposed to have been spoken.

And as a further mark of the Violent Temper, the Lower House were brought into by the Instigation and Practices of the Governor. They first addressed the Governor to suspend the Surveyor General, afterwards they committed him as before mentioned and on the very same day a Motion was made (tho' afterwards drop'd) to address the Governor to appoint two Magistrates to take an inventory of all the Records Writings and Papers in Mr St Johns Custody.

Whatever was the pretended, the real cause of Mr St Johns Commitment, and the Resentment against him proceeded, from his steady and unshaken Zeal and Attachment to the Interest of the Crown, the faithful and diligent Discharge of his Duty, and from his representing (according to his Instructions received from his Superiors) the Conduct of the Governor Council and Assembly, and he was thus prosecuted to let every Person see, from the Example that has been made of Mr St John, how unsafe and dangerous a thing it is to represent to His Majesties Ministers in Great Britain, any of their Proceedings how injurious so ever they may be to the Rights

and

11 4 5

and Prerogative of the Crown, or destructive of the publick Welfare of that Province. And that this has been the immediate cause of the usage Mr St John has received, there needs no other Proof, than the very Proceedings of the Governor, Council and Assembly as they appear upon their own Journals.

Mr St John has not been the single object of this sort of Treatment but it has been extended to almost every other Person who has appeared as his Friend, and indeed to every Man who has shewn any Regard or Concern for the Rights Prerogatives or Interest of the Crown, as can be fully made appear by a great Variety of Instances, one or two of which out of the Multitude that may be given will not be improper to mention in this place.

To shew this Spirit and Inclination in its proper and genuine Light, here is inserted the true Copy of a Letter, which Governor Johnson wrote to one Colonel Beamore, desiring him to oppose the Election of Benjamin Whitaker Esqr to serve as a Representative in the Assembly for the Inhabitants of Port Royal, where it appears the only Dislike the Governor had against Mr Whitaker was because he had assisted in making the Representations & Obser-

-vations

-vations upon the Quit Rent Act, which had so enraged the Governor and other Persons in the Assembly, who were interested in the Patents.

Charles Town Novr 30th 1732.

Col. Beamore.

I understand Mr Whitaker designs to make an Interest to serve as Assembly Man for Port Royal in Colo French's room. I do assure you I can give you such good proof of his misrepresenting in Mr St John's name the Transactions of Governor, Council, and Assembly of this Province by insinuating no Body has any regard for the Kings interest, but Mr St John, and that the Quit Rent Law, and other our Proceedings is calculated for ruining the Kings Interest, and serve our selves, or that Effect, by which he designs to create Uneasiness, and embroil the affairs of the Goverament in order to fish out Profit for himself by the Confusion of Differences he endeavours to raise betwixt the Gov-ernment & People, and if he gets into the Assembly, he'il be the better enabled to carry on his pernicious Underhand practices. I hope therefore that you have that regard to the Town Quality of the Province to oppose him being elected both by your Vote and Interest which will oblige your humble Servt

Robert

Robt Johnson.

P.S. / you need not shew anybody this, being only my Opinion, what I apprehend will be for the Publick Good and hope you'll make good use of it. I signed your Grant last meeting in Council.

His Excellency a little before this time, was pleased to give another testimony of his Malevolence towards Mr Whitaker by oppressing him in his pri-vate Property, and stopping his Majesties Grant to Mr Whitaker for a Tract of Land which he had caused to be Surveyed, by virtue of his Excellencys own Warrant, and which he had actually settled and cultivated not only according to the strict letter, but according to the true intent and meaning of his Majesties Instructions, and against the Granting of which Land the Governor could not possibly find out any objection, but to colour his partial, ar-bitrary and unjust Delay of issueing the said Grant, he procured a Censure in Council on Mr Whitaker for false Insinuations pretended to be made against the Governor, in a Petition which Mr Whitaker had preferred to his Excellency, in order to obtain the said Grant, altho' there was no Insinuation what-soever in the said Petition, and nothing but bare

and

and direct Allegations of Facts; which Facts as they were there set forth did not carry in themselves any Reflections on the said Goverour, unless such Reflections arose in the said Governors own Breast: from a Consciousness of the Partiality and Injustice he had shewn to Mr Whitaker, the truth of which particulars the said Petition, in the very same Words, in which it was preferred to the Governor, now ready to be produced, will fully evince and justify.

The Injury done to the Rights and Prerogative of the Crown, the Diminution of His Majesty's Revenue the Violation of the Royal Orders, and the obstruction of the Publick welfare of South Carolina have not been confined to the above related Proceedings only, but have been extended to many other very important particulars a short account of which are subjoined to these General Observations.

His Majesty by his Royal Instructions to Govr Johnson has enjoyned that all Moneys raised by publicke acts or Orders of the Province of South Carolina shall be granted to his Majesty, and that no publick Act or Order shall pass for lessning the Publick Revenues without his Majesties Special Leave or Command.

Goverour

Governor Johnson has intirely disregarded this Instruction, for no Money which has been raised by any publick Act or order during his Government has been granted to His Majesty.

His Majesty was graciously disposed to remit to the Inhabitants of South Carolina the Arrears of the Quit Rents due from them to the late Lords Proprietors to the time of His Majesties Purchase, which Quit Rents His Majesty purchased of the late Lords Proprietors for a valuable Consideration, Nevertheless the Governor Council and Assembly, not being satisfied with his Majesties great Bounty and Indulgence, in being disposed to remit so large a Debt, passed the Quit Rent Act, by which Act the Quit Rents from the time of his Majesties Purchase to the 25th March 1731 are also remitted and his Majesty actually defrauded of £969. 18. 4 Sterling, besides the great Diminution of the Revenue before represented by confirming the old Patents.

The Governor by His Instructions is also enjoyned not to pass any Act for raising publick Moneys, whereby the same shall not be made liable to be accounted for to his Majesty, or to the Commissioners of the Treasury, and to be audited by his Majesties

Majesties Auditor General of the Plantations or his Deputy.

His Excellency Governor Johnson in express contradiction to this Instruction, hath passed an Act for raising a publick Tax, wherein the Money is directed to be accounted for to the General Assembly with a direct Negative that it shall not be accounted for otherwise. And altho' the said Governor by another Instruction is directed not to suffer any Publick Moneys to be issued otherwise than by his Excellencys Warrant with the Consent of the Council, yet the said Governor has passed one or more Acts whereby the consent of the Assembly is made necessary to every Order and he hath suffered the Assembly to share the Royal Power, in the Executive part of the Government. And altho' he is commanded by the same Instructions to communicate the said Instructions to the Assembly as often as there shall be occasion; yet he has never once made them acquainted with the said Instructions and the said Governor the better to prevent a Discovery of the Mismanagement or Misapplication of publick Moneys has never suffered any of the publick accounts to be audited by his Majesties Auditor General or his Deputy.

The said Governor is also instructed to recommend

-mend to the Assemblys to pass an Act whereby all Owners of Lands already granted by the Proprietors might be obliged to settle and cultivate their Lands on pain of Forfeiture, which Instruction was graciously designed by his Majesty for the better strengthning and improving the said Province, but the said Governor has paid so little regard to this Instruction or to his Majesties most gracious Intentions in this Behalf, that he never took any other Notice thereof, save only by once recommending it to the Assembly in a slight manner, and he has since passed an Act for remitting the Arrears of Quit Rents, and for confirming of all sorts of defective Titles and has made so many other large Concessions, even beyond the Desires or Request of ye Assembly that it is not to be imagined that they will now pass an Act to subject their Lands to Forfeiture on failure of Cultivation, but the Governor altho' from the whole Spirit and Tenour of his Majesties Instructions, he must have perceived, that his Majesty out of his Princely Wisdom, and Fatherly care and Indulgence has chiefly aimed at the Strength, Improvement and Cultivation of the said Province, and has given all the most proper Directions and Instructions for

that

that Purpose yet the said Governor hath shewn the greatest Neglect, and Disregard, and even Disinclination to promote these his Maties Intentions, insomuch that in the very Grants lately passed for his Majesties Lands, he has absolvd the Grantees, from the Obligation of any other sort of Settlement or Cultivation, than barely by clearing one Acre of Land for each five hundred Acres, a Condition annexed to the Grant that may be performed at a very small expence in one day, and certainly is very far short of the Cultivation intended by his Majesties Instructions; and his Excellency has granted very large Tracts of Land on this slight Condition, even to Persons not qualifyd to take up Land, according to his Majesties Instructions For this Conduct of the Governors, so opposite to the true Interest and Welfare of the Province, 'tis very difficult to account, unless it be to render the Settlement of the vast Tracts of Land he holds and claims easy and of small Expence to himself.

Before Governor Johnson went from Great Britain, to take upon himself the Government of South Carolina it was represented to his Majesty that there was a certain Act in Force in South Carolina, Intituled an Act for calling in and sinking the Paper Bills, and

and that part of the Duties imposed by the said Act was applicable for and towards the discharging and sinking the Bills of Credit, then current in the said Province, and it was also represented, that it would be a great Encouragement for the more speedy and effectual Setling of the said Province, If the Assembly were permitted for the Space of seven years, to apply the produce of such Revenue arising from that Act as were then appropriated to the Discharge of the old Bills, to the Charge of the Surveying and laying out Townships, and of purchasing Tools Provisions and other necessaries, for any poor Protestants, that should be desirous to Settle in that Province. His Majesty being graciously pleased to comply with the Request of the Planters and Merchants, did by his Instructions impower Governor Johnson to give his Assent to a Clause to some Act for suspending the first Design of the first mentioned Act, and for applying the Sinking Fund for the Space of Seven years to the Purposes aforesaid Provided always that the Assembly did pass an effectual Law to answer the Purposes of the foregoing Instruction.

By the Act commonly called the Appropriation Act the Annual Duties that were appropriated by the Act for sinking the Bills are computed (communibus Annis) at

at 13,000 ℔ ℔ Annum.

His Majesty has been pleased to give Leave that these Dutys should be applyed for seven years. For Importing Protestant Settlers.

	£ . s . d
The Duties for seven years computed at £13000 ℔ ann ----------	91000. 0. 0
applyed for bringing in Protestant Settlers for seven years at £5000 ℔ ann. by the appropriation Act. ----------	35,000. 0. 0
There remains the Opposite Sum misapplyed which ought to have been made use of for bringing in Protestant Settlers in case the Kings Instructions had been complyed with	56000. 0. 0
The was at the time of Governor Johnsons arrival the opposite sum lying in the Treasurers hands, which the Gov. whilst in Great Britain prayed that he might have leave to apply towards the payment of the Publick Debts, but 'tis not known that he ever obtained such Leave	40,000. 0. 0
So that in the whole there is misapplyed	96,000. 0. 0

The Country having been in Tumults for four years together, and the Assembly having refused to raise any Taxes for the Support of the Government, or defence of

of Defence of the Province during all that time, there was during these four years a Debt contracted amounting to £ 104775.1-3½ for the Discharge of which the Governor gave his consent to a law for issueing of that sum in publick Orders which were to be called in by the Duties in seven years.

When Governor Johnson was in England, in answer to certain Queries proposed to him by the Lords of Trade and Plantations, he represented that £100,000 of the Currency of South Carolina, was sufficient to carry on the Trade of that Province and agreeable to a Petition of some Merchants who at the same time attended their Lordships, he prayed that the said sum of £100,000 might be continued for seven years, and that in the mean time the Duties arising by the sinking Fund might be applyed towards the defraying the Charges of the Passage, and providing Tools and Provisions for Protestant People that would go to settle in South Carolina, and that when the seven years should be expired that then the Act for sinking the Bills of Credit should again take place, and that 5000£ of the said Bills should be sunk ℔ ann. which would sink the whole in twenty seven years and in case the sinking Fund should prove deficient,

that

that the Deficiency should be supplied by a General Tax. His Majesty thereupon was graciously pleased to suspend the design of the sinking Fund for seven years and gave leave to apply it, for the Importation of Protestant settlers, as is before set forth, and was at the same time pleased to permit the said Governor to give his consent to a Law to be passed for establishing a new Currency with a Clause nevertheless that such Law, should not take place till his Majesty's pleasure should be known thereupon Nevertheless the Governor contrary to his own proposal made to the Lords of Trade and in expres's contradiction to His Majesties Instructions passed two Laws (without a saving Clause in either of them) the one for reprinting the Old Paper Currency amounting to upwards of £ 100,000, but without providing any Fund for the sinking or gradual Reduction thereof or that the old Act for sinking the said Bills should take place after the Expiration of the aforesaid seven years, as he had proposed to the Lords of Trade, and by the other Act an Additional Paper Credit of £ 104 775. 1. 3¼ was issued in publick Orders, so called merely to elude his Majesties Instructions. And all the duties arising by the Sinking Fund

(except

(except the aforesaid £5000 p ann.) which by His Ma-
-jesties Instructions ought wholly to have been appro-
-priated to the charge of Importing Protestant Setlers
were applyed to the calling in and sinking the afore-
-said Orders issued for the Payment of the Publick
Debts as aforesaid. And the aforesaid 40,000£ which
remained in the Treasurer's hands, or was owing to
him by the Merchants, at the time of the passing the
last mentioned Act, was comprized in the Number
of the said Publick Orders, altho' they were to be can-
-celled immediately after their being issued, but
this was done with a design to encrease the Quantity
of Paper Credit, which now amounts to upwards
of £210,000, And altho' by this very Act the aforesd
sum of £40,000. was immediately to be cancelled
yet there is not above £27,000 gathered into the Trea-
-surers hands and the remaining part bear £5 p Cent
Int. and those that are gathered in lye uncancelled
*ready to be reissued whenever the Governor, Council
and Assembly upon any pretended Emergency shall
agree so to do. And all this has been done, notwithstand-
-ing the Governor was fully apprized by his Majesties
Instructions, what great Inconveniencies have hap-
-pened to the Province of South Carolina, by issuing too

large

*see the P.S.

large Quantities of Paper Money without providing Paper Funds, for the gradual Sinking, and Reduction of the same. But now the Paper Credit is extended to above double the sum, that the Governor himself in answer to the Lords of Trade allowed to be sufficient, and as there is no care taken, that this last Law shall be complyed with, 'tis impossible to foresee how far these Inconveniencies may be extended; but 'tis very certain that by these proceedings, the Value of the Paper Credit, and all sorts of Commerce and Dealings in the said Province are rendred precarious and uncertain; and many honest and industrious Trading Familys, as well in this Kingdom, as in the said Province, are in danger of being ruined.

All which Facts here set down, altho' in these general Observations, they are but briefly touched are strictly true, and can be fully proved by the clearest and most undeniable Evidence collected and ready to be produced, from the Acts Journals and other Proceedings of the Governor, Council and Assembly of South Carolina, and from the Publick Records of the said Province, which will in a much more full and ample manner manifest and illustrate these

these Proceedings, than is possible to be done within the Compass of these Observations, with this also that his Excellency Governor Johnson has not been passive or permissive in these proceedings, but in those things which are most material, he has been instrumental promoting and exciting that he has publickly shewn the most bitter and unjust Resentment against all those, who have used any endeavours to detect, discover, or humbly to represent these Proceedings to the Proper authorities in Great Britain, and that he has acted knowingly willing and for a Present or Reward.

P.S.

Since this Representation has been closed, advices have been Recd from South Carolina, that the Assembly have attempted to reissue the Sum of £40,000 out of the Public Orders, that are to be sunk by the Appropriation Act and there has been a Report of a Committee to that Purpose.

Since Mr Whitaker left South Carolina there have been ten persons of fair characters and very good consideration in that Province, committed to Prison, by the Governor, Council and Assembly for supposed Contempts most of them for attending with petitions

petitions (prefer'd according to the Laws of the Province) to obtain Writs of Habeas Corpus for their Friends and Neighbours who had been been before imprisoned, and upon the face of whose Commitments there appeared no Crime or Offence for which they ought to have been deprived of their Liberty. Warrants of Commitments have issued agt near twenty persons in all the Cause of which has been originally owing to the Proceedings set forth in the above Representation

The most violent and extraordinary proceedings have been lately carryd on against the Chief Justice of the Province for barely granting Writs of Habeas Corpus to inquire into the Cause of the Comitment of the partys who petitioned him.

and to Skreen themselves from the ill consequences which they apprehended, and the penalties which they well knew they had incurrd on account of their unjust, violent and oppressive proceedings the Governour Council and Assembly have, finally, passed an Act for their own Indemnity.

Endorsed | A Representation of the Proceedings of the Governor, Council & Assembly of South Carolina
R. 13th July (from Mr Whitaker)

B.P.R.O. So Carolina B.T. Vol. 14. N. 101.

(24 Dec. 1744.)

May it Please Your Lordships.

I herewith Transmit my third half yearly Report of the Business done in the Surveyor Generals Office of this Province Also an Account of the Grants passed there last six months. As Inspector & Controller I transmitted a Duplicate to Mr. McCulloh & delivered another to Mr. Seaby Receiver General & a third to Mr. Cramahe Deputy Auditor to enable them to continue his Majesties Rent Roll.

As I was appointed Surveyor General of this Province & Inspector and Controller of His Majesties Rents therein, on the 29th of April 1743 upon the Death of Mr. St. John by the Honourable William Bull Esqr. Lieutenant Governor, & by him recommended to His Grace the Duke of Newcastle & your Lordships, as a person proper to be confirmid in said offices, which I have executed without any complaint or censure, for little or no reward, the Receiver General refusing the Salary of a hundred Pounds Proclamation Money in lieu of all Fees as Inspector and Controller. The Fees of the Surveyor Generals office are so small that no person can subsist thereon, there being so little business therein

therein, as appears to your Lordships by my former Reports as well as this, having thereunto annexed the legal Fees received by me. By this Report 'tis evident that these last six months I have not received six Guineas necessary Charges deducted. With my former Reports I desired your Lordships Favour to be confirmed in said offices with the Sallary given my Predecessor, the same I now renew & Pray your Lordships to procure an Order from the Lords of the Treasury on Mr Saxby Receiver General for the Arrears.

Your Lordships Favour herein shall always be highly esteemd by

your Lordships most obedient humble Servant.

South Carolina — George Hunter.

Charles Town
24th December 1744.

Recd July ye 3d.
Read Do. 22d } 1747

(Enclosure)

H. 102.

Enclosures to Mr Hunter's letter

dated 24 Dec. 1744.

464

An Account of the Business done in the Surveyor from the 29th day of April to the 30th day of Octo

The Dates of the		Where to be Surv'd & Quantity	Quantity Survey'd & Grantees Names
Govr Warrant	Sur. Genl Precept		
1733 Oct. 6	1743 May 11	General 1969	200 90 840 } Eliza Bordely
1743 May 7	Do — —	Special 550	550 James Steward
1744 Do 8	1744 May 8	Amelia 300	George Haig
1727 Feb. 8	Do — —	North Towneship 250	W=Sewewright
1743 Oct. 6	1743 Oct. 6	Fredericksburg 250	250 Chas. Ratcliff
Do — —	Do ——	Do 200	200 Mark Caterton
Do — —	Do ——	Do 100	100 Thos. Bryan
1734 Jan. 25	Do Dec. 19	General 1700	744 Joseph Bryan
1744 May 23	1744 May 23	Welch Tract 450	Saml Buckston
1732 Jan. 31	1732 Jan 31	General 950	117 Robt Brewton
1735 Octr 17	1735 Octr 17	Amelia 450	{250 200} John Lacy
1743 Sept 15	1743 Sept 16	Special 400	400 John Luter
1737 Sept 29	1739 Sept 29	Kingston 150	150 Janet Beatie
1744 July 28	1744 July 28	Special 1000	1000 John Field
1731 Jan 24	Do — 15	Craven 850	Danl Shaw
1736 Dec. 1	Do Do	General 1000	Revd Lewis Jones
1731 Jan. 20	1731 Jan. 20	Do 500	350 Bethel Reades

Generals Office of South Carolina } Report No. 3.
.ber 1744 being six months }

County or Township	When received into the office	When certified by the Lieut Gent	When delivered	Fees. £. s. d.
Berkley	1744 May 7	1743 Nov. 29	1744 May 8	4 - 3 -
		Do — 30		3 - 5 -
		Do Jan 20		9 - 14 -
Berkley	Do	Do - 19	Do	7 - 1 -
				- 10 -
				- 10 -
Fredericksburg	Do 11	Do Feb. 7	Do 12	4 . 11 . 8 .
Do	Do Do	Do — 10	Do Do	4 . 3 . 4 .
Do	Do Do	Do — 7	Do Do	3 . 6 . 8 .
Granville	Do 19	1744 May 8	Do 19	8 . 17 . 8 .
				- 10 -
Berkley	Do June 30	Do June 28	Do June 30	3 . 9 . 6
Amelia	Do —	1743 Jan 16	Do —	4 . 11 . 8 .
Craven	Do July 31	Do 17 1744 June 13	Do July 31	5 . 16 . 8 .
Kingston	Do Aug 6 .	Do Aug 7	Do Aug 7	3 . 15 . 0
Colleton	Do - 10	Do July 31	Do — 10	11 . 8 . 8 .
				- 10 . -
				- . 10 . -
Berkley	Do — 30	Do Aug 30	Do — 30	5 . 9 . 4

The

The Dates of the		Where to be Survey'd & Quantity	Quantity Survey'd & Grantees Names
Gove Warrant	Sur. Gen'l Precept		
1732 Jan. 23	1744 June 19	General 400	Will: Wilkins
1736 Oct. 28.	Do:	Do: 400	
1744 Do: 6	1744 Oct. 6.	Special 250	Thos. Brown
Do:	Do:	Do: 300	Jno: Hamilton Purdy.
Do:	Do:	Do: 250	Saml: Lynes
Do:	Do:	Do: 300	Gilbt: Gibson
Do:	Do:	Do: 200	Mary Hyde
Do:	Do:	Do: 100	Margt: O'Neal.
Do:	Do:	Do: 100	Jno: Jacob Geiger
Do:	Do:	Do: 300	Richd: Richardson
Do:	Do:	Orangeburg 100	John Wolf
Do:	Do:	Saxe Gotha 300	Philip Poole
Do:	Do:	Purrysburg 50	Hans Conrade Bailey
Do:	Do:	Fredericksburg 550	John Lasslay
Do:	Do:	Do: 200	Michl: Branham
Do:	Do:	Do: 50	Chas. Ratcliff
Do:	Do:	Do: 350	W: Gray.
Do:	Do:	Do: 400	John Black
1742 Jan. 30	1742 Jan. 26	Purrysburg 250	250 John Delagage

County or Township	When received into the office	When certified by the Sur. Genl	When delivered	Fees L. s. d.
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10 –
				– 10. –
			1744 Oct 27	4 – 11 – 8.
Purrysburg	1742 Mar 8	1744 Oct. 27		£ 99. 19. 2.
			By Bounty for 3 negroes	30. – . –
				£ 129. 19. 2.
			To six months Salary of an Office	60. 0. 0
			To Stationery Warrant	no

468

N° of Lot.	Grantee's Names	Gov^r Warr^t	Surv. Gen^ls Bk	Fees.
319. 320	Rev^d W^m Orr	1744 May 21	1744 May 21	6. —
323 324	Presbeterian Congregation	D^o —	D^o —	—
120. 124	Thos Jones	1743 Nov. 15	D^o June 6	6. —
121	Thos Christie	1744 June 28	D^o July 2	3. —
328	Alex^r Gordon	D^o 30	D^o —	3 —
129	John Stone	D^o July 27	D^o 28	3. —
178	Jonathan Bryan	D^o —	D^o —	3. —
326	Joseph Bryan	D^o —	D^o —	3. —
115	Joseph Edward Stone	1743 Nov. 15	D^o Aug 13.	3 —

Certified the 30^th day of Oct^r
1744

p George Hunter.
Surveyor Gen^l

Enclosure. N. 103. in Mr Hunters letter

24th Dec. 1744.

A List of Grants passed since april 29th 1744 to October 30th 1744 Recorded in the Secretarys Office Report No 3.

The Quit Rent commences from Date of Grant			
Grantees names	acres	County	When Granted
Thomas Ashby	62	Berkley	1744 May 24
John Gantlet	110	Do	Do Do
Joshua Wilks	67	Do	Do Do
Do	768	Craven	Do Do
Joseph Bayan	764	Granville	Do Do

Quit Rent commences Ten years after the Date of Grant			
Grantees names	acres	Township	When Granted
Jacob Bruck	450	Orangeburg	1744 May 24
Peter Legerlie	400	Do	Do Do
Mark Catterton	200	Fredericksbg	Do Do
Thos Bryan	100	Do	Do Do
Chas Ratcliff	250	Do	Do Do
Landsampton Tolber	650	New Windsor	Do Do

Beaufort

Beaufort Town Lots

Grantee's Names	Lott as numbered	When Granted.
Revd W^m Orr	319, 320	1744 May 24.
Do in Trust for the Presbeterian Congregation - - - - -	323, 324	Do ——

The Tenure is that the Grantees shall build a good & sufficient tenantable House of the Dimensions of Thirty feet in length and fifteen feet in Breadth with one Brick Chimney at least, in the space of three years from the date of the Grant. And in case of failure therein then to pay to his Majesty Two pounds Proclamation money ℔ Annum from thence untill the expiration of Twelve years from the date of the Grant, at which Term it is to revert to his Majesty if the Condition is not then complied with. —